

FEDERAL REGISTER

VOLUME 33 • NUMBER 31

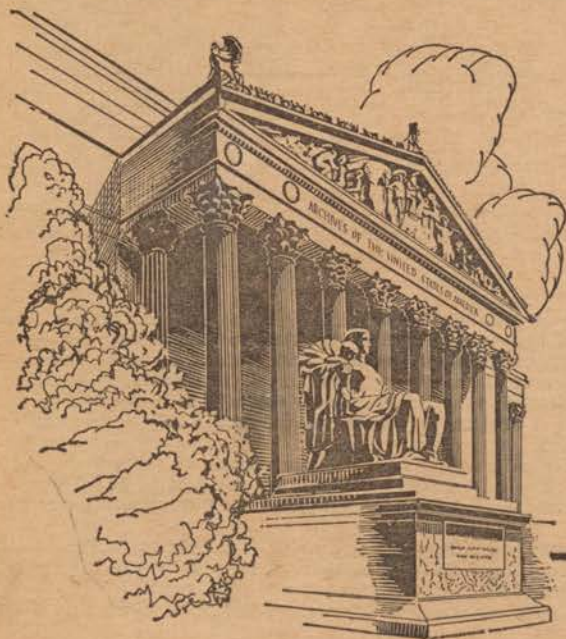
Wednesday, February 14, 1968 • Washington, D.C.

Pages 2925-2979

Agencies in this issue—

The President
Atomic Energy Commission
Civil Aeronautics Board
Consumer and Marketing Service
Federal Aviation Administration
Federal Communications Commission
Federal Crop Insurance Corporation
Federal Highway Administration
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Health, Education, and Welfare
Department
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Packers and Stockyards
Administration
Post Office Department
Securities and Exchange Commission
Small Business Administration
Smithsonian Institution

Detailed list of Contents appears inside.



Now Available

LIST OF CFR SECTIONS AFFECTED

1949-1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

Price \$6.75

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402



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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1968, and specifies how they are affected.

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Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3828

LAW DAY, U.S.A., 1968

By the President of the United States of America

A Proclamation

On May 1, we will observe Law Day, U.S.A.—the day set aside each year by Congress in recognition of the fundamental importance of the rule of law to our nation.

The law we recognize and respect is not the mere exercise of power. It is not just a device to enforce the status quo. Law is a process of continuous growth that allows the creation of new rights for all men through a deliberative, democratic process. It is a system that permits existing rights to be protected, injustices to be remedied, and disputes to be resolved, without recourse to self-defeating violence.

That is the meaning of the theme of Law Day, 1968—"Only a lawful society can build a better society."

I commend all those members of the bar, the bench and the law enforcement system who work to improve the performance of this system—to make it more just, more effective, and more responsive to our people's needs.

America is grateful to them for their efforts to improve and extend legal services to the poor; to streamline the machinery of our courts; and to defend our society against crime and lawlessness.

I call upon every citizen to assist these efforts in his own community. I deem it the duty of each man and woman to honor the law, and to work within it and through it for civil order and social justice.

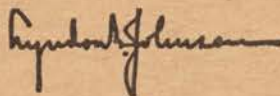
NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request the observance of Wednesday, May 1, 1968, as Law Day in the United States of America.

I commend the organized bar for fostering the annual observance of Law Day. I urge each citizen to join in that observance by making a personal commitment

- to obey the law
- to respect the rights of others
- to aid law-enforcement officers
- to uphold the judgments of the courts.

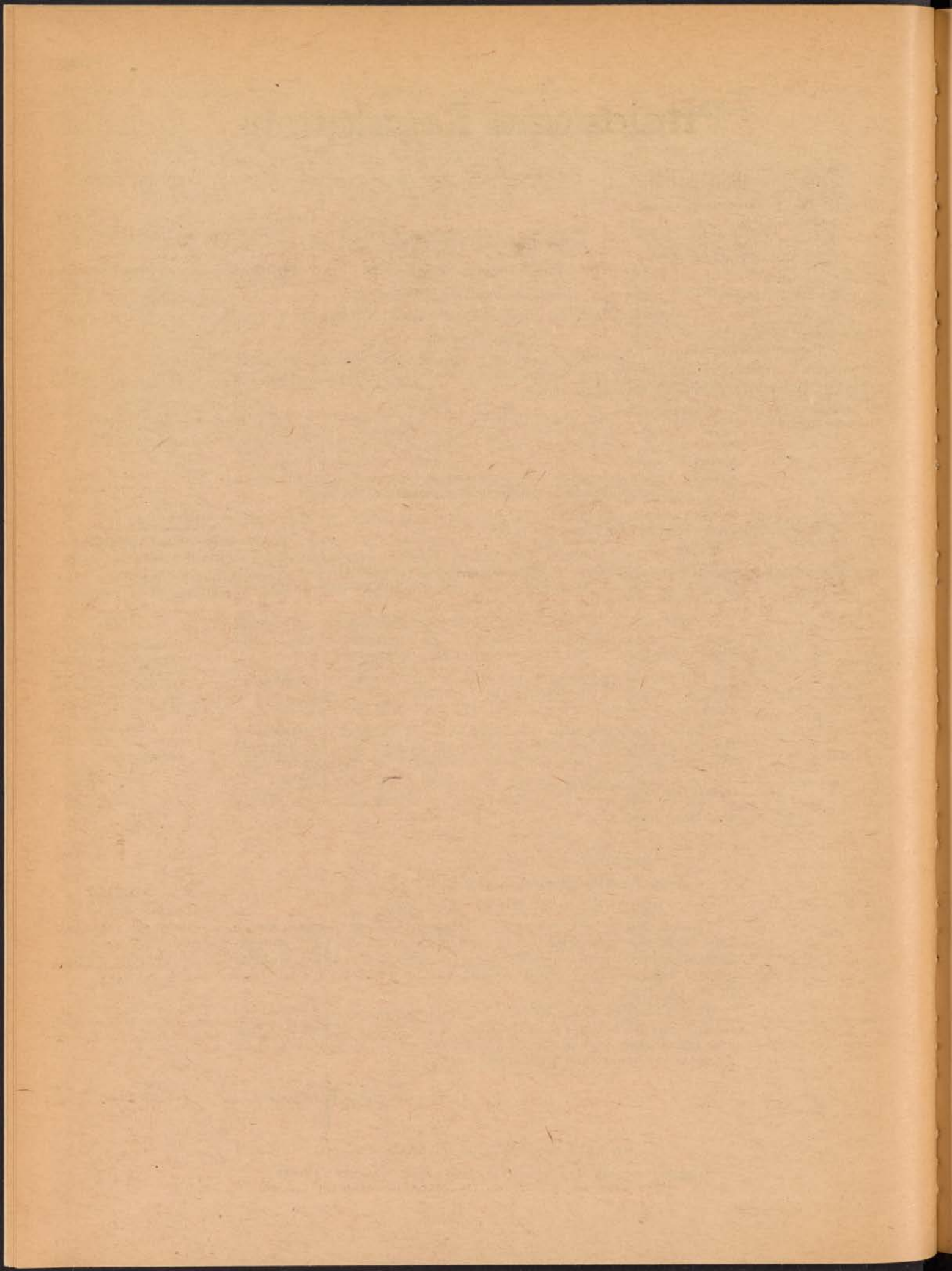
As requested by the Congress, I suggest that our people observe Law Day with appropriate ceremonies and observances, through public bodies and private organizations, in schools and other suitable places; and I call upon public officials to display the nation's flag on public buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of February, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-second.



[F.R. Doc. 68-1908; Filed, Feb. 12, 1968; 4:57 p.m.]

FEDERAL REGISTER, VOL. 33, NO. 31—WEDNESDAY, FEBRUARY 14, 1968



Rules and Regulations

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR BARLEY CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, the following counties have been designated for barley crop insurance for the 1969 crop year.

ARIZONA	
Maricopa.	Yuma.
Pinal.	
CALIFORNIA	
Kern.	San Luis Obispo.
Modoc.	Tulare.
COLORADO	
Boulder.	Sedgwick.
Larimer.	Washington.
Logan.	Weld.
Morgan.	
IDAHO	
Bannock.	Jerome.
Benewah.	Kootenai.
Bingham.	Latah.
Bonneville.	Lewis.
Camas.	Lincoln.
Canyon.	Madison.
Caribou.	Minidoka.
Cassia.	Nez Perce.
Franklin.	Oneida.
Fremont.	Owyhee.
Gooding.	Power.
Idaho.	Teton.
Jefferson.	Twin Falls.
MARYLAND	
Caroline.	Queen Annes.
Kent.	
MINNESOTA	
Becker.	Pennington.
Chippewa.	Polk.
Clay.	Pope.
Grant.	Red Lake.
Kittson.	Roseau.
Mahnomen.	Stevens.
Marshall.	Swift.
Norman.	Traverse.
Otter Tail.	Wilkin.
MONTANA	
Big Horn.	Phillips.
Blaine.	Pondera.
Carbon.	Prairie.
Cascade.	Richland.
Chouteau.	Roosevelt.
Daniels.	Rosebud.
Fallon.	Sheridan.
Fergus.	Stillwater.
Glacier.	Teton.
Golden Valley.	Toole.
Hill.	Valley.
Judith Basin.	Wheatland.
Liberty.	Yellowstone.
Musselshell.	

NORTH DAKOTA

Barnes.	McLean.
Benson.	Mercer.
Bottineau.	Mountrail.
Burke.	Nelson.
Burleigh.	Oliver.
Cass.	Pembina.
Cavaler.	Pierce.
Dickey.	Ramsey.
Divide.	Ransom.
Dunn.	Renville.
Eddy.	Richland.
Emmons.	Rolette.
Foster.	Sargent.
Golden Valley.	Sheridan.
Grand Forks.	Stark.
Grant.	Steele.
Griggs.	Stutsman.
Hettinger.	Towner.
Kidder.	Trall.
La Moure.	Walsh.
Logan.	Ward.
McKenzie.	Wells.
McHenry.	Williams.

OREGON

Gilliam.	Sherman.
Jefferson.	Umatilla.
Klamath.	Union.
Linn.	Wallowa.
Malheur.	Wasco.
Morrow.	

PENNSYLVANIA

Adams.	Franklin.
Chester.	Lebanon.
Cumberland.	York.
Dauphin.	

SOUTH DAKOTA

Beadle.	Grant.
Brookings.	Hamlin.
Brown.	Kingsbury.
Clark.	McPherson.
Codington.	Marshall.
Day.	Miner.
Deuel.	Roberts.
Edmonds.	Spink.
Faulk.	

UTAH

Cache.	Utah.
Salt Lake.	

WASHINGTON

Adams.	Grant.
Asotin.	Klickitat.
Benton.	Lincoln.
Columbia.	Spokane.
Douglas.	Walla Walla.
Franklin.	Whitman.
Garfield.	Yakima.

WYOMING

Big Horn.	Park.
Goshen.	Washakie.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager.

[F.R. Doc. 68-1840; Filed, Feb. 13, 1968; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEA (CANNING AND FREEZING) CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the lists of counties published October 11, 1967 (32 F.R. 14095), and January 6, 1968 (33 F.R. 221), which were designated for canning and freezing pea crop insurance for the 1968 crop year.

IDAHO

Caribou.	Franklin.
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(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager.

[F.R. Doc. 68-1841; Filed, Feb. 13, 1968; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTY DESIGNATED FOR TOMATO CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following county is hereby added to the lists of counties published October 12, 1967 (32 F.R. 14149), and December 7, 1967 (32 F.R. 17513), which were designated for tomato crop insurance for the 1968 crop year.

OHIO

Darke.
(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager.

[F.R. Doc. 68-1842; Filed, Feb. 13, 1968; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR WHEAT CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, the following counties have been designated for wheat crop insurance for the 1969 crop year.

ARKANSAS

Clay.	Jackson.
Craighead.	Mississippi.
Crittenden.	Poinsett.
Greene.	

RULES AND REGULATIONS

CALIFORNIA

Kern.
Modoc.

San Luis Obispo.
Tulare.

COLORADO

Adams.
Arapahoe.
Boulder.
Cheyenne.
Elbert.
Kit Carson.
Larimer.
Lincoln.

Logan.
Morgan.
Phillips.
Sedgwick.
Washington.
Weld.
Yuma.

IDAHO

Bannock.
Benewah.
Bingham.
Bonneville.
Camas.
Canyon.
Caribou.
Cassia.
Franklin.
Fremont.
Gooding.
Idaho.
Jefferson.

Jerome.
Kootenai.
Latah.
Lewis.
Lincoln.
Madison.
Minidoka.
Nez Perce.
Onida.
Owyhee.
Power.
Teton.
Twin Falls.

ILLINOIS

Adams.
Bond.
Brown.
Cass.
Champaign.
Christian.
Clark.
Clinton.
Coles.
Crawford.
Cumberland.
DeWitt.
Douglas.
Edgar.
Effingham.
Fayette.
Fulton.
Greene.
Hancock.
Iroquois.
Jasper.
Jefferson.
Jersey.
Kankakee.

Logan.
McDonough.
McLean.
Macon.
Macoupin.
Madison.
Mason.
Menard.
Monroe.
Montgomery.
Morgan.
Moultrie.
Piatt.
Pike.
St. Clair.
Sangamon.
Schuyler.
Scott.
Shelby.
Tazewell.
Vermilion.
Washington.
Wayne.

INDIANA

Adams.
Allen.
Bartholomew.
Benton.
Blackford.
Boone.
Carroll.
Cass.
Clay.
Clinton.
Decatur.
DeKalb.
Delaware.
Elkhart.
Fountain.
Fulton.
Gibson.
Grant.
Hamilton.
Hancock.
Hendricks.
Henry.
Howard.
Huntington.
Jackson.
Jasper.
Jay.
Johnson.
Knox.

Kosciusko.
Lagrange.
Madison.
Marion.
Marshall.
Miami.
Montgomery.
Morgan.
Newton.
Noble.
Parke.
Pulaski.
Putnam.
Randolph.
Ripley.
Rush.
Shelby.
Sullivan.
Tippecanoe.
Tipton.
Vermillion.
Vigo.
Wabash.
Warren.
Wayne.
Wells.
White.
Whitley.

KANSAS

Allen.
Anderson.
Atchison.
Barber.
Barton.
Bourbon.
Brown.
Butler.
Chase.
Chautauqua.
Cherokee.
Cheyenne.
Clark.
Clay.
Cloud.
Coffey.
Comanche.
Cowley.
Crawford.
Decatur.
Dickinson.
Doniphan.
Douglas.
Edwards.
Elk.
Ellis.
Ellsworth.
Finney.
Ford.
Franklin.
Geary.
Gove.
Graham.
Grant.
Gray.
Greeley.
Greenwood.
Hamilton.
Harper.
Harvey.
Haskell.
Hodgeman.
Jackson.
Jefferson.
Jewell.
Johnson.
Kearny.
Kingsman.
Kiowa.
Labette.
Lane.

Lincoln.
Linn.
Logan.
Lyon.
McPherson.
Marion.
Marshall.
Meade.
Miami.
Mitchell.
Montgomery.
Morris.
Nemaha.
Neosho.
Ness.
Norton.
Osage.
Osborne.
Ottawa.
Pawnee.
Phillips.
Pottawatomie.
Pratt.
Rawlins.
Reno.
Republic.
Rice.
Riley.
Rooks.
Rush.
Russell.
Saline.
Scott.
Sedgwick.
Seward.
Shawnee.
Sheridan.
Sherman.
Smith.
Stafford.
Stanton.
Stevens.
Sumner.
Thomas.
Trego.
Wabaunsee.
Wallace.
Washington.
Wichita.
Wilson.
Woodson.

KENTUCKY

Christian.

MARYLAND

Queen Annes.

MICHIGAN

Bay.
Branch.
Calhoun.
Cass.
Clinton.
Eaton.
Gratiot.
Hillsdale.
Huron.
Ingham.
Ionia.
Jackson.

Kalamazoo.
Lenawee.
Livingston.
Monroe.
Saginaw.
St. Clair.
St. Joseph.
Sanilac.
Shiawassee.
Tuscola.
Washtenaw.

MINNESOTA

Becker.
Big Stone.
Blue Earth.
Chippewa.
Clay.
Dakota.
Douglas.
Faribault.
Freeborn.
Grant.
Kandiyohi.
Kittson.
Lac Qui Parle.
Le Sueur.
Mahnoman.

Marshall.
Norman.
Otter Tail.
Pennington.
Polk.
Red Lake.
Redwood.
Renville.
Roseau.
Stevens.
Swift.
Traverse.
Waseca.
Wilkin.
Yellow Medicine.

MISSISSIPPI

Bolivar.
Coahoma.
De Soto.
Humphreys.

Sunflower.
Tunica.
Washington.

MISSOURI

Adair.
Andrew.
Audrain.
Barton.
Bates.
Boone.
Buchanan.
Butler.
Caldwell.
Callaway.
Cape Girardeau.
Carroll.
Cass.
Chariton.
Clark.
Clinton.
Cooper.
Dade.
Davies.
De Kalb.
Dunklin.
Franklin.
Gentry.
Grundy.
Harrison.
Henry.
Holt.
Howard.
Jackson.
Jasper.

Johnson.
Knox.
Lafayette.
Lawrence.
Lewis.
Lincoln.
Linn.
Livingston.
Macon.
Marion.
Mississippi.
Monroe.
Montgomery.
New Madrid.
Nodaway.
Pemiscot.
Pettis.
Pike.
Platte.
Ralls.
Randolph.
Ray.
St. Charles.
Saline.
Scotland.
Scott.
Shelby.
Stoddard.
Sullivan.
Vernon.

MONTANA

Blaine.
Big Horn.
Carbon.
Cascade.
Chouteau.
Custer.
Daniels.
Dawson.
Fallon.
Fergus.
Glacier.
Golden Valley.
Hill.
Judith Basin.
Liberty.
McCone.

Musselshell.
Petroleum.
Phillips.
Pondera.
Prairie.
Richland.
Roosevelt.
Rosebud.
Sheridan.
Stillwater.
Teton.
Toole.
Valley.
Wheatland.
Wibaux.
Yellowstone.

NEBRASKA

Adams.
Banner.
Box Butte.
Butler.
Cass.
Chase.
Cheyenne.
Clay.
Dawes.
Deuel.
Dodge.
Fillmore.
Franklin.
Frontier.
Furnas.
Gage.
Garden.
Gosper.
Hall.
Hamilton.
Harlan.
Hayes.
Hitchcock.
Jefferson.
Johnson.
Kearney.

Keith.
Kimball.
Lancaster.
Lincoln.
Merrick.
Morrill.
Nance.
Nemaha.
Nuckolls.
Otoe.
Pawnee.
Perkins.
Phelps.
Polk.
Red Willow.
Richardson.
Saline.
Saunders.
Scotts Bluff.
Seward.
Sheridan.
Thayer.
Washington.
Webster.
York.

NEW MEXICO

Curry.

NORTH DAKOTA

Adams.
Barnes.
Benson.
Bottineau.
Bowman.
Burke.
Burling.
Cass.
Cavaller.
Dickey.
Divide.
Dunn.
Eddy.
Emmons.
Foster.
Golden Valley.
Grand Forks.
Grant.
Griggs.
Hettinger.
Kidder.
La Moure.
Logan.
McHenry.
McIntosh.
McKenzie.

OHIO

Allen.
Ashland.
Auglaize.
Champaign.
Clark.
Clinton.
Crawford.
Darke.
Defiance.
Delaware.
Erie.
Fairfield.
Fayette.
Franklin.
Fulton.
Greene.
Hancock.
Hardin.
Henry.
Highland.
Huron.
Knox.
Licking.
Logan.
Lucas.

OKLAHOMA

Alfalfa.
Beaver.
Beckham.
Blaine.
Caddo.
Canadian.
Comanche.
Cotton.
Craig.
Custer.
Delaware.
Dewey.
Ellis.
Garfield.
Grady.
Grant.
Greer.
Harmon.
Harper.

OREGON

Baker.
Gilliam.
Jefferson.
Klamath.
Linn.
Malheur.

PENNSYLVANIA

Adams.
Chester.
Cumberland.
Dauphin.

McLean.
Mercer.
Morton.
Mountrail.
Nelson.
Oliver.
Pembina.
Pierce.
Ramsey.
Ransom.
Renville.
Richland.
Rolette.
Sargent.
Sheridan.
Sioux.
Slope.
Stark.
Steele.
Stutsman.
Towner.
Traill.
Walsh.
Ward.
Wells.
Williams.

SOUTH DAKOTA

Aurora.
Beadle.
Bennett.
Bon Homme.
Brown.
Campbell.
Clark.
Codington.
Corson.
Day.
Deuel.
Dewey.
Douglas.
Edmunds.
Faulk.
Grant.
Haakon.
Hamlin.
Hand.

TENNESSEE

Dyer.
Lake.
Lauderdale.

TEXAS

Baylor.
Carson.
Castro.
Collin.
Cooke.
Dallam.
Deaf Smith.
Denton.
Fannin.
Floyd.
Foard.
Gray.

UTAH

Box Elder.
Cache.

WASHINGTON

Adams.
Asotin.
Benton.
Columbia.
Douglas.
Franklin.
Garfield.

WYOMING

Goshen.
Laramie.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager.

[F.R. Doc. 68-1843; Filed, Feb. 13, 1968; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts) Department of Agriculture

[945.326 Amdt. 2]

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945),

regulating the handling of Irish potatoes grown in the production area defined therein, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the Idaho-Eastern Oregon Potato Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments herein-after set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (2) compliance with this amendment will not require any special preparation by handlers which cannot be completed by the effective date, (3) information regarding the committee's recommendation has been made available to producers and handlers in the production area, (4) this amendment will permit potato producers to receive benefits from the potato diversion program, and (5) it should be made effective as soon as possible to allow such potato producers maximum time to participate in the program.

Order, as amended. In § 945.326 (32 F.R. 9298, 15577), paragraphs (a) and (g) are hereby amended to read as follows:

§ 945.32 Limitation of shipments.

(a) *Minimum quality requirements—*(1) *Round varieties.* U.S. No. 1, or better grade, 2 inches minimum diameter.

(2) *Long varieties.* U.S. No. 2, or better grade, 6 ounces minimum weight: *Provided,* That any such potatoes that grade not less than U.S. No. 1 may be handled if they are of 2 inches minimum diameter or 4 ounces minimum weight.

(3) *Cleanliness—*(i) *Kennebec variety.* Not more than "slightly dirty."

(ii) *All other varieties.* Generally "fairly clean."

(g) *Applicability to imports.* Pursuant to section 608e-1 of the act and § 980.1 of this chapter ("Import regulations" § 980.1), Irish potatoes of the long varieties imported during the effective period of this section shall meet the grade, size, quality and maturity requirements specified in paragraphs (a) and (b) of this section.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated February 12, 1968, to become effective February 15, 1968, for paragraph (a) and February 21, 1968, for paragraph (g).

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 68-1906; Filed, Feb. 13, 1968;
8:50 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Revision of 1967-68 Free and Restricted Percentages and Withholding Factor for Deglet Noor Dates

The Date Administrative Committee has unanimously recommended that the volume percentages applicable to marketable dates of the Deglet Noor variety for the 1967-68 crop year (§ 987.215, 32 F.R. 11847, 19156) be revised. The revision would reduce the restricted percentage for this variety from the present 35 percent to 29 percent, increase the free percentage from the present 65 percent to 71 percent, and reduce the withholding factor from the present 53.8 percent to 40.8 percent. The Committee is established under, and its recommendations are made pursuant to, the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987; 32 F.R. 12594), regulating the handling of domestic dates produced or packed in a designated area of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The 1967-68 marketable production of Deglet Noor dates is currently estimated to be 27.55 million pounds, or 4.08 million pounds less than originally estimated. The desirable carryover for July 31, 1968, to assure adequate supplies until new crop dates are available, is now determined to be 15 million pounds, or 5 million pounds more than when the percentages were first designated. These changes require the revision specified.

After consideration of all relevant matter presented, including that in the notice issued in connection with the designation of the free and restricted percentages and the withholding factors for the 1967-68 crop year, the information and recommendation submitted by the Committee, and other available information, it is found that to revise § 987.215 (32 F.R. 11847, 19156), so as to change, for Deglet Noor dates, the free and restricted percentages, and withholding factor, as set forth below, will tend to effectuate the declared policy of the act; and said § 987.215 is revised to read as follows:

§ 987.215 Free and restricted percentages and withholding factors.

The various free percentages, restricted percentages, and withholding factors applicable to marketable dates of each variety shall be, for the crop year beginning August 1, 1967, and ending July 31, 1968, as follows: (a) Deglet Noor variety dates: Free percentage, 71 percent; restricted percentage, 29 percent; and withholding factor, 40.8 percent; (b) Zahidi variety dates: Free percentage, 88 percent; restricted percentage, 12 percent; and withholding factor, 13.6 percent; (c) Halawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent; (d) Khadrawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent.

It is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice of this specific action and engage in public rule making procedure, and that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) Under this marketing program the percentages and withholding factors designated for a particular crop year, and any revisions thereof, shall be applicable to all marketable dates certified during the entire crop year; (2) the current crop year began August 1, 1967, and the revised percentages and withholding factor herein designated will automatically apply to all marketable dates of the Deglet Noor variety certified on or after that date; (3) this action relieves restrictions and must be taken promptly to achieve its purpose; and (4) handlers are aware of this action as recommended by the Committee and require no advance notice.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: February 9, 1968.

PAUL A. NICHOLSON,
Acting Director,
Fruit and Vegetable Division.

[F.R. Doc. 68-1837; Filed, Feb. 13, 1968;
8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8617, Amdt. 39-554]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model 1-11 200 and 400 Series Airplanes

An airworthiness directive concerning the use of the APU on the BAC 1-11 Series 200 and 400 airplanes was published in the FEDERAL REGISTER (33 F.R.

10) as Amendment 39-538. Subsequent to the issuance of Amendment 39-538, it was brought to the attention of the FAA that subparagraph (b) (5) of that amendment could be read as permitting Type "430" jet pipes to remain in service for 3,000 hours starting with the effective date of the AD. This was not intended, and the extension of the service life of the Type "430" jet pipes beyond a total of 3,000 hours would not be in the interest of safety. Therefore, the AD is amended to remove this ambiguity and to make it clear that the Type "430" jet pipes must be removed from service upon accumulating a total of 3,000 hours' time in service.

Since a situation exists that requires immediate adoption of this clarification, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-538 (33 F.R. 10), is amended by striking out the phrase "after the effective date of this AD" at the end of subparagraph (b) (5).

This amendment becomes effective February 14, 1968.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C. on February 7, 1968.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 68-1817; Filed, Feb. 13, 1968;
8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Cosmetics Containing Bithionol

In the FEDERAL REGISTER of October 31, 1967 (32 F.R. 15046), the Food and Drug Administration published an order withdrawing approval of certain new-drug applications for bithionol-containing human-use drugs and gave notice that all bithionol-containing human-use drugs will thereafter be regarded as new drugs for which an approval is not in effect.

In view of the foregoing, the Commissioner of Food and Drugs has also concluded that a statement of policy should be issued as follows regarding bithionol in cosmetics. Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 601(a), 701(a), 52 Stat. 1054, 1055, 21 U.S.C. 361(a), 371(a)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21

CFR 2.120), the following new section is added to Part 3:

§ 3.60 Cosmetics containing bithionol.

(a) Bithionol has been used to some extent as an antibacterial agent in cosmetic preparations such as detergent bars, shampoos, creams, lotions, and bases used to hide blemishes. New evidence of clinical experience and photopatch tests indicate that bithionol is capable of causing photosensitivity in man when used topically and that in some instances the photosensitization may persist for prolonged periods as severe reactions without further contact with sensitizing articles. Also, there is evidence to indicate that bithionol may produce cross-sensitization with other commonly used chemicals such as certain halogenated salicylanilides and hexachlorophene. It is, therefore, the view of the Food and Drug Administration that bithionol is a deleterious substance which may render any cosmetic product that contains it injurious to users. Accordingly, any cosmetic containing bithionol is deemed to be adulterated under section 601(a) of the Federal Food, Drug, and Cosmetic Act.

(b) Regulatory proceedings may be initiated with respect to any cosmetic preparation containing bithionol shipped within the jurisdiction of the act after 30 days from date of publication of this statement in the FEDERAL REGISTER.

(Secs. 601(a), 701(a), 52 Stat. 1054, 1055, 21 U.S.C. 361(a), 371(a))

Dated: February 5, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-1799; Filed, Feb. 13, 1968; 8:47 a.m.]

**SUBCHAPTER B—FOOD AND FOOD PRODUCTS
PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES**

O,O-Dimethyl O-p-(Dimethylsulfamoyl)Phenyl Phosphorothioate

A petition (PP 6F0498) was filed with the Food and Drug Administration by American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, proposing the establishment of tolerances for residues of the insecticide O,O-dimethyl O-p-(dimethylsulfamoyl)phenyl phosphorothioate in or on the meat, fat, and meat byproducts of cattle at 0.1 part per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. The Commissioner

also concludes that the tolerances should be established in terms of the subject pesticide and its oxygen analog as shown below. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2), 68 Stat. 512; 21 U.S.C. 346a (d) (2)) and delegated by him to the Commissioner (21 CFR 2.120), Part 120 is amended as follows:

1. Section 120.3(e) (5) is amended by alphabetically inserting in the list of cholinesterase-inhibiting pesticides two new items, as follows:

§ 120.3 Tolerances for related pesticide chemicals.

- (e) * * *
- (5) * * *
- O,O-Dimethyl O-p-(dimethylsulfamoyl)phenyl phosphorothioate.
- O,O-Dimethyl O-p-(dimethylsulfamoyl)phenyl phosphate.

2. The following new section is added to Subpart C:

§ 120.233 O,O-Dimethyl O-p-(dimethylsulfamoyl)phenyl phosphorothioate including its oxygen analog; tolerances for residues.

Tolerances are established for residues of the insecticide O,O-dimethyl O-p-(dimethylsulfamoyl)phenyl phosphorothioate including its oxygen analog (O,O-dimethyl O-p-(dimethylsulfamoyl)phenyl phosphate) in or on the raw agricultural commodities meat, fat, and meat byproducts of cattle at 0.1 part per million.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a (d) (2))

Dated: February 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-1796; Filed, Feb. 13, 1968; 8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 146—ANTIBIOTIC DRUGS; PROCEDURAL REGULATIONS

CLARIFICATION

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), § 146.2(b) (3) of the antibiotic-drug procedural regulations is revised for clarification to read as follows:

§ 146.2 Requests for certification, check tests and assays, and working standards; information and samples required.

- (b) * * *
- (3) Before such person makes any change in the facilities and controls used in the manufacture, packaging, or labeling of the drug, he shall submit to the Commissioner for advance approval a full statement describing the proposed change. In the case of a proposal to use revised labeling on or within the drug package or promotional labeling that deviates in any significant respect from the approved labeling, the applicant shall submit specimens for advance approval.

This order makes a clarifying change in a procedural regulation and raises no points of controversy; therefore, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: February 5, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-1797; Filed, Feb. 13, 1968; 8:47 a.m.]

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Sodium Ampicillin

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), the antibiotic drug regulation providing for the certification of sodium ampicillin, § 146a.119, is amended to increase the sample size required to ensure receipt of sufficient material for conducting tests and examinations by revising paragraph (d) (2) (ii) (a) to read as follows:

§ 146a.119 Sodium ampicillin.

- (d) * * *
- (2) * * *
- (ii) * * *

(a) For all tests except sterility: A minimum of 15 immediate containers.

This amendment merely increases the required sample size for certification of the subject drug and raises no points of controversy; therefore, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: February 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-1798; Filed, Feb. 13, 1968;
8:47 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter V—Smithsonian Institution

PART 500—STANDARDS OF CONDUCT

Pursuant to and in conformity with sections 201 through 209 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 500, Chapter V, Title 36 of the Code of Federal Regulations, is revised as set forth below.

Subpart A—General Provisions

- Sec.
- 500.735-101 Purpose.
- 500.735-102 General.
- 500.735-103 Interpretative, advisory, and review services.
- 500.735-104 Disciplinary and other remedial action.

Subpart B—Gifts, Entertainment, and Favors

- 500.735-201 Gifts, entertainment, and favors from outside sources.
- 500.735-202 Unauthorized solicitations and gifts.

Subpart C—Outside Employment

- 500.735-301 General.
- 500.735-302 Representation.
- 500.735-303 Other activities.
- 500.735-304 Teaching, lecturing, and writing.
- 500.735-305 Holding office under State or local government.

Subpart D—Financial Interests

- 500.735-401 General.
- 500.735-402 Employees in procuring and contracting activities.
- 500.735-403 Exceptions.

Subpart E—Financial Responsibility

- 500.735-501 General.
- 500.735-502 Borrowing and lending money.

Subpart F—Conduct on the Job

- 500.735-601 General.
- 500.735-602 Use of Government funds.
- 500.735-603 Use of Federal and Smithsonian property.
- 500.735-604 Restrictions on disclosure of information.
- 500.735-605 Nondiscrimination.
- 500.735-606 Participation in management of employee organizations.
- 500.735-607 Gambling, betting, and lotteries.

Subpart G—Statements of Employment and Financial Interests

- 500.735-701 Applicability.
- 500.735-702 Employees not required to submit statements.
- 500.735-703 Time and place for submission of employees' statements.
- 500.735-704 Supplementary statements.
- 500.735-705 Interests of employees' relatives.
- 500.735-706 Information not known by employees.
- 500.735-707 Information not required.
- 500.735-708 Confidentiality of employees' statements.

Subpart H—Provisions Relating to Special Government Employees

- 500.735-801 Applicability.
- 500.735-802 Ethical standards of conduct.
- 500.735-803 Statement of financial interests required.
- 500.735-804 Statutory restrictions.
- 500.735-805 Requesting waivers or exemptions.

AUTHORITY: The provisions of this Part 500 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735-104.

Subpart A—General Provisions

§ 500.735-101 Purpose.

The regulations in this part set forth minimum standards of conduct for the Federal employees and special Government employees of the Smithsonian Institution, provide for interpretative and advisory services, and outline certain statutory provisions relating to standards of conduct and conflicts of interest.

§ 500.735-102 General.

(a) The maintenance of high standards of honesty, integrity, and impartiality by employees and special Government employees of the Smithsonian is essential to assure proper conduct of its business and of public confidence in the Institution. Employees must refrain from any private business or professional activity which would place them in a position where there is a conflict between their private interests and the interests of the Smithsonian Institution. Although a technical conflict may not exist, employees must avoid the appearance of such a conflict. Such employees are not to engage in any private activity which involves the use of or appearance of the use of, official information or other information gained through Smithsonian employment, which is not available to the general public or would not be made available upon request, for private gain for themselves, their families, or for business associates, either directly or indirectly.

(b) In general, employees shall avoid any action, whether or not specifically

prohibited by the regulations in this part, which might result in or create the appearance of: using their Smithsonian employment for private gain; losing impartiality and giving preferential treatment to any person; impeding Smithsonian efficiency or economy; making an official decision outside official channels; or affecting adversely the confidence of the public in the integrity of the Smithsonian Institution.

(c) Employees and special Government employees will not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Smithsonian or to the Government.

(d) Each employee and special Government employee should be aware of the following statutory prohibitions against:

(1) Lobbying with appropriated funds (18 U.S.C. 1913).

(2) Disloyalty and striking (5 U.S.C. 7311 and 18 U.S.C. 1918).

(3) Employment of a member of a Communist organization (50 U.S.C. 784).

(4) (A) Disclosure of classified information (18 U.S.C. 798), (50 U.S.C. 783); and (B) disclosure of confidential information (18 U.S.C. 1905).

(5) Habitual use of intoxicants to excess (5 U.S.C. 7352).

(6) Misuse of a Government vehicle (31 U.S.C. 638a(c)).

(7) Misuse of the franking privilege (18 U.S.C. 1719).

(8) Use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(9) Fraud or false statements in a Government matter (18 U.S.C. 1001).

(10) Mutilating or destroying a public record (18 U.S.C. 2071).

(11) Unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(12) Employees acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

§ 500.735-103 Interpretative, advisory, and review services.

The Secretary will designate a Counselor for the Smithsonian who will be the Smithsonian's designee to the Civil Service Commission on matters related to standards of conduct. Attorneys in the Office of the General Counsel will be designated as Deputy Counselors for the Smithsonian by the Counselor as needed. The Counselor shall review the statements of employment and financial interests submitted by employees and special Government employees. When that review indicates a conflict between the interests of an employee or special Government employee and the performance of his services for the Smithsonian, the Counselor will bring the indicated conflict to the attention of the employee or special Government employee, will grant the employee or special Government employee an opportunity to explain the indicated conflict, and attempt to resolve the indicated conflict. If the indicated conflict cannot be resolved, the Counselor will forward a written report

on the indicated conflict to the Secretary. When the Secretary decides that remedial or disciplinary action is required to end the conflict or appearance of conflict he will effect such action as provided in § 500.735-104. Deputy Counselors will act in the absence or the unavailability of the Counselor, and their opinions shall be as authoritative as those of the Counselor.

§ 500.735-104 Disciplinary and remedial action.

A violation of the regulations in this part by an employee or special Government employee may be cause for appropriate remedial or disciplinary action, in addition to any penalty prescribed by law. Such action may include, but is not limited to: (a) Changes in assigned duties; (b) divestment by the employee or special Government employee of his conflicting interest; (c) disqualification for a particular assignment; or (d) appropriate disciplinary action.

Subpart B—Gifts, Entertainment, and Favors

§ 500.735-201 Gifts, entertainment, and favors from outside sources.

(a) In general, Federal employees may be subject to criminal penalties if they solicit, accept, or agree to accept anything of value in return for being influenced in performing or in refraining from performing an official act (see 18 U.S.C. 201, 203). Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who (1) has, or is seeking to obtain, contractual or other business or financial relations with the Smithsonian, or (2) has interests that may be substantially affected by the performance or nonperformance of the employee's official duty.

(b) The following exceptions to paragraph (a) of this section are appropriate:

(1) When the circumstances make it clear that it is a family or personal relationship (such as those between the employee's parents, children, or spouse and the employee), rather than the business of the persons concerned, acceptance of gratuities, favors, entertainment, or any other thing of monetary value is permissible;

(2) Food and refreshments of modest value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection or other tour where an employee may properly be in attendance may be accepted;

(3) Loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans, may be accepted;

(4) Unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of modest intrinsic value, may be accepted.

§ 500.735-202 Unauthorized solicitations and gifts.

(a) No employee shall solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a normal amount made on a special occasion such as marriage, illness, or retirement.

(b) Employees will not solicit contributions for, or otherwise promote, on Smithsonian Institution premises, any welfare or other type campaign, either national or local, unless participation in that campaign has had the endorsement of the Secretary.

(c) Employees will not sell tickets, stocks, articles, commodities, or services on Smithsonian Institution premises.

(d) The above prohibitions are not to be construed as prohibiting employees from engaging in bona fide activities or a recognized employee union, group organization, or association on premises occupied by the Smithsonian Institution.

(e) An employee shall not accept a gift, present, decoration or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 7342.

Subpart C—Outside Employment

§ 500.735-301 General.

(a) Outside employment or other outside activity may be appropriate when it would not adversely affect performance of an employee's official duties and would not reflect discredit on the Government or the Smithsonian Institution. Such work may include some paid or unpaid outside work which contributes to technical or professional development. Certain types of outside work, however, which give rise to real or apparent conflicts of interest, are prohibited by law or by regulation.

(b) Neither this section nor § 500.735-303 precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part for which no Smithsonian payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under agency orders when reimbursement is proscribed by Comptroller General Decision B-128527, dated March 7, 1967. Nor are employees precluded from participation in the activities of national or state political parties where such participation is not proscribed by law. Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, public service, or civic organization are permissible.

§ 500.735-302 Representation.

(a) An employee shall not, except in the discharge of his official duties, represent anyone else before a court or Government agency in any matter in which the United States is a party or has a direct and substantial interest (18 U.S.C. 203, 205).

(b) A person shall not, after his Smithsonian employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest in and in which he participated personally and substantially for the Government (18 U.S.C. 207).

(c) A person shall not, for one year after his Smithsonian employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has a direct and substantial interest and which was under his official responsibility (but in which he did not participate personally and substantially) during the last year of his Smithsonian employment (18 U.S.C. 207).

§ 500.735-303 Other activities.

Smithsonian employees shall not perform or engage in any outside work or outside activity, with or without compensation, which is not compatible with the full and proper discharge of the duties and responsibilities of his Smithsonian employment. Incompatible activities include but are not limited to:

(a) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interest;

(b) Outside employment which tends to impair his mental or physical capacity to perform his Smithsonian duties and responsibilities in an acceptable manner;

(c) Outside work which may be construed by the public to be official acts of the Smithsonian Institution;

(d) Any salary or anything of monetary value received by an employee from a private source as compensation for his services to the Smithsonian Institution (18 U.S.C. 209).

§ 500.735-304 Teaching, lecturing, and writing.

Smithsonian employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, Executive order, or the regulations in this part. However, an employee shall not, with or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Smithsonian employment, except when that information is available to the general public or would be made available on request, or when the Secretary gives written authorization for the use of nonpublic information on the basis that the use is in the public interest.

§ 500.735-305 Holding office under State or local government.

(a) Employees of the Smithsonian may hold office under State or local government only to the extent permitted by

Executive Order, of Part 734, Civil Service Regulations (5 CFR Part 734). Part 734, Civil Service Regulations, provides that with prior approval of the employing agency and a determination that an employee's service in the State or local office will not interfere with the regular and efficient performance of his duties, certain exceptions to the general prohibition can be made. However, such exceptions do not permit an employee to engage in partisan political activity. Exceptions under which officeholding is permitted with prior approval are:

(1) A full-time employee may hold a State or local office on other than a full-time basis;

(2) An employee employed on other than a full-time basis may hold a State or local office, whether full-time or otherwise;

(3) An employee who is on leave without pay may hold a State or local office on a full-time basis;

(4) An employee of a State or local government who is on leave without pay may hold a Federal position on a full-time basis under a temporary appointment.

(b) Employees desiring to participate in political activities are cautioned to adhere strictly to the provisions of subchapter III of Chapter 73 of Title 5, U.S.C. (the former Hatch Act), and 18 U.S.C. 602, 603, 607, and 608. Advice on political activities and copies of applicable statutes and regulations may be obtained from the Counselor.

Subpart D—Financial Interests

§ 500.735-401 General.

(a) An employee shall not participate in his official capacity in any matter in which he, his spouse, his minor child, or an outside business associate or organization (profit or nonprofit) with which he is connected or is negotiating employment has a financial interest (18 U.S.C. 208). Shares held in a widely diversified mutual fund or other regulated investment company are exempt from the provisions of 18 U.S.C. 208(a) as being too remote or inconsequential to affect the integrity of an officer's or employee's services, except as provided below in § 500.735-402. In other cases, whenever a question might be raised concerning the integrity of an employee's official services, the employee shall, each time such a matter arises, request administrative approval to participate in the matter.

(b) An employee shall not have direct or indirect financial interests that conflict substantially, or appear to conflict substantially, with his Smithsonian duties and responsibilities, or engage in, directly or indirectly, a financial transaction as a result of, or primarily relying upon, information obtained through his Smithsonian employment. This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Smithsonian so long as it is not prohibited by law, Executive order, or the regulations in this part.

§ 500.735-402 Employees in procuring and contracting activities.

An employee who serves as a procurement or contracting officer or whose duties include authority to recommend or prepare specifications, negotiate non-competitive contracts, or evaluate bids, shall not have financial interests in companies with which his office has any significant procurement or contracting relationship. Such employees may not hold shares in a mutual fund or other regulated investment company that specializes in holdings in industries with which his office has any significant procurement or contracting relationship.

§ 500.735-403 Exceptions.

If any situation arises in which it would appear to be contrary to the best interests of the Smithsonian, or cause undue hardship to an individual, to apply strictly the policies set forth in this subpart, a request for exception with full disclosure of the relevant facts, should be forwarded to the Counselor.

Subpart E—Financial Responsibility

§ 500.735-501 General.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law, such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the agency determines does not, under the circumstances reflect adversely on the Smithsonian as his employer. If there is a dispute between an employee and an alleged creditor, the Smithsonian is not required to determine the validity or amount of the disputed debt.

§ 500.735-502 Borrowing and lending money.

(a) While on duty, or while on Smithsonian Institution premises, employees are forbidden to borrow money or lend money to anyone for the purpose of monetary profit or other gain. This prohibition is not applicable to operations of a recognized employee credit union or employee welfare plan.

(b) No supervisor may borrow money from subordinates, nor shall he request or require any subordinate to co-sign or endorse a personal note.

Subpart F—Conduct on the Job

§ 500.735-601 General.

High standards of conduct on the job are required of employees of the Smithsonian Institution. Those employees in contact with the public play a particularly significant role in determining the public's attitude toward the Institution. Attitude, alertness, courtesy, consideration, and promptness in carrying out one's official duties, are important aspects of conduct.

§ 500.735-602 Use of Government funds.

The following laws carry penalties for misuse of Government funds:

(a) Improper use of official travel (18 U.S.C. 508);

(b) Embezzlement or conversion of public money, property, or records to one's use (18 U.S.C. 641);

(c) Taking or failing to account for public funds with which an employee is entrusted in his official position (18 U.S.C. 643);

(d) Embezzlement or conversion of another's money or property in the possession of an employee by reason of his employment (18 U.S.C. 654).

§ 500.735-603 Use of Federal and Smithsonian property.

(a) Employees shall not directly or indirectly use, or allow to be used, Federal or Smithsonian Institution property of any kind for other than officially approved activities.

(b) Employees have a positive duty to protect and conserve both Federal and Smithsonian Institution property, equipment, and supplies, including property leased to the Institution, which have been entrusted or issued to them. Employees are prohibited from willfully damaging or otherwise misusing Federal and Smithsonian Institution property, vehicles, equipment, tools, and instruments; and are prohibited from defacing Smithsonian buildings, offices, and other premises or facilities of the Institution in any manner whatsoever.

§ 500.735-604 Restrictions on disclosure of information.

Unless specifically authorized to do so, employees will not disclose any official Smithsonian information which is of a confidential nature or which represents a matter of trust, or any other information of such character that its disclosure might be contrary to the best interests of the Government or of the Smithsonian Institution, e.g., private, personal, or business related information furnished to the Smithsonian in confidence. Security and investigative data for official use only shall not be divulged to unauthorized persons or agencies. This section shall not be construed, however, as directing any employee of the Smithsonian to withhold unclassified information from the press or public.

§ 500.735-605 Nondiscrimination.

In the performance of his duties, an employee shall not discriminate on grounds of race, color, religion, national origin, sex, or age. Discrimination because of political opinions or affiliations, refusal to render political service, or refusal to contribute money for political purposes is also prohibited.

§ 500.735-606 Participation in management of employee organizations.

Any employee has the right to be a member of an employee organization. He shall not, however, participate in the management of an employee organization as an officer of the organization or represent it in dealings with management when such activity might result in a conflict of interest or otherwise be incompatible with law or with the official duties of the employee. The duties of managerial executives who determine

management policies and put them into effect and the duties of personnel employees, other than those in a purely clerical capacity, are inconsistent with participation in the management or representation of an employee organization. Conflict of interest will be deemed to exist when an employer is an officer of an employee organization or actively represents it on specific matters of direct official concern, and also has continuing responsibility as a management official for making administrative decisions or formal recommendations on cases or policies advocated by the same or similar employee organizations, or has management responsibility for dealing with officers or representatives of the same or a similar employee organization. The conflict must be immediate and real, not remote and theoretical.

§ 500.735-607 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or -leased property, or while on Smithsonian-owned or -leased property, or while on duty for the Smithsonian, in any gambling activity, including, but not limited to, the operation of a gambling device, conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

Subpart G—Statements of Employment and Financial Interests

§ 500.735-701 Applicability.

The following employees shall submit statements of employment and financial interests:

(a) Employees paid at a level of the Executive Schedule in Subchapter II of Chapter 53 of Title 5, United States Code.

(b) Employees classified at GS-13 or above under 5 U.S.C. 5332, or at a comparable pay level under another authority, whose basic duties and responsibilities require the incumbent to exercise judgment in making or recommending a Smithsonian decision or in taking or recommending a Smithsonian action in regard to:

- (1) Contracting or procurement;
- (2) Administering or monitoring grants;
- (3) Audit of financial transactions;
- (4) Use and disposal of excess or surplus property;
- (5) Activities (regardless of grade) where the decision or action has an economic impact on the interests of a non-Federal enterprise.

(c) Employees classified at GS-13 or above under 5 U.S.C. 5332, or at a comparable pay level under another authority, who are in positions which the Smithsonian has determined have duties and responsibilities which require the incumbent to report employment and financial interests in order to avoid involvement in possible conflicts-of-interest situations and carry out the purpose of law, Executive order, and the Smithsonian's regulations.

(d) Any employee who believes that his position has been improperly included under these regulations as one requiring

the submission of a statement of employment and financial interests is encouraged to discuss the matter with the Counselor, and, if not satisfied, shall be given an opportunity for review of his complaint through the Smithsonian's grievance procedures.

§ 500.735-702 Employees not required to submit statements.

(a) Employees in positions that meet the criteria in paragraph (b) of § 500.735-701 may be excluded from the reporting requirement when the Smithsonian determines that:

(1) The duties of a position are such that the likelihood of a conflict-of-interest situation is remote;

(2) The duties of a position are at such a level of responsibility that the submission of a statement of employment and financial interests is not necessary because of the degree of supervision and review over the incumbent or the inconsequential effect on the integrity of the Government.

§ 500.735-703 Time and place for submission of employees' statements.

An employee required to submit a statement of employment and financial interests under the regulations in this part shall submit that statement to the Counselor not later than:

(a) Ninety days after the effective date of the regulations in this part if employed on or before that effective date; or

(b) Thirty days after his entrance on duty, but not earlier than 90 days after the effective date of the regulations in this part, if appointed after that effective date.

§ 500.735-704 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If there are no changes or additions, a negative report is required. Notwithstanding the filing of the annual report required, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of 18 U.S.C. 208, or this regulation.

§ 500.735-705 Interests of employees' relatives.

The interest of a spouse, minor child, step-child or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations of the employee who are residents of the employee's household.

§ 500.735-706 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in

trust is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 500.735-707 Information not required.

This subpart does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational or other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 500.735-708 Confidentiality of employees' statements.

Each statement of employment and financial interests and each supplementary statement, shall be held in strict confidence by the Smithsonian. To insure this confidentiality, the Counselor is responsible for maintaining the statements in confidence and shall not allow access to or allow information to be disclosed from a statement except to carry out the purpose of this part. The Smithsonian may not disclose information from a statement except as the Civil Service Commission or the Secretary may determine for good cause shown.

Subpart H—Provisions Relating to Special Government Employees

§ 500.735-801 Applicability.

The requirements of this subpart apply to "special Government employees." The term "special Government employees" means and includes employees who are retained designated, appointed, or employed to perform, with or without compensation for not more than 130 days during any period of 365 consecutive days, temporary duties on a full-time or intermittent basis.

§ 500.735-802 Ethical standards of conduct.

A special Government employee must conduct himself according to ethical behavior of the highest order:

(a) He must refrain from any use of his Smithsonian employment which is, or appears to be, motivated by a desire for private gain for himself or other persons, particularly those with whom he has family, business, or financial ties.

(b) He shall not use inside information obtained as a result of his Smithsonian employment for private gain for himself or another person either by direct action on his part or by counsel, recommendations, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purposes of this section,

"inside information" means information obtained under Smithsonian authority which has not become part of the body of public information.

(c) He shall not use his Smithsonian employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

(d) While employed or in connection with his employment as a special Government employee, he shall not receive or solicit from any person having business with the Smithsonian anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties. The exceptions deemed appropriate for regular Smithsonian employees under § 500.735-201(b) also apply to special Government employees.

(e) He may write, teach, lecture, and hold office under State or local Government under the conditions proscribed for regular employees in §§ 500.735-304 and 500.735-305.

§ 500.735-803 Statement of financial interests required.

(a) Each special Government employee described in § 500.735-801 must submit a statement which reports:

(1) All other employment;
(2) The financial interests which relate either directly or indirectly to his duties and responsibilities with the Smithsonian.

(b) Such statement of employment and financial interests must be submitted not later than the time of employment by the Smithsonian. If during the period of appointment the special Government employee undertakes a new employment, he must promptly file an amended statement. He must also report any new financial interests either directly or indirectly to his duties.

(c) The requirements of this section may be waived or modified to the extent consistent with § 735.412 of the Civil Service Commission's regulations (5 CFR 735.412), upon application to the Secretary through the Counselor, who will attach his recommendations thereto.

§ 500.735-804 Statutory restrictions.

Each special Government employee shall acquaint himself with the provisions of the following statutes:

(a) Prohibitions affecting the activities of Government employees in their private capacities (18 U.S.C. 203, 205);

(b) Prohibitions affecting the activities of persons who leave the service of the Government (18 U.S.C. 207);

(c) A restriction on the activities of the Government employee in performing his functions as a Government employee (18 U.S.C. 208);

(d) The specific exclusion of special Government employees from the coverage of 18 U.S.C. 209 which prohibits a regular employee's receipt of compensation from private sources in certain circumstances.

§ 500.735-805 Requesting waivers or exemptions.

A special Government employee may request the following waivers or exemptions:

(a) An exemption if the outside financial interest is determined not to be substantial enough to have an effect on the integrity of his services (see 18 U.S.C. 208(b)).

(b) A limited waiver is permitted of restrictions in 18 U.S.C. 205 for the benefit of an employee who represents his own parents, spouse, child, or a person or estate which he serves as a fiduciary, if such representation is approved by the Secretary. No waiver is available for matters in which he has participated personally and substantially, or which are the subject of his official responsibility (see 18 U.S.C. 202(b)).

(c) He may be allowed to represent his regular employer or other outside organization in the performance of work under a grant or contract upon certification by the Secretary that the national interest requires it. Publication in the FEDERAL REGISTER of such certification is required.

This revised Part 500 was approved by the Civil Service Commission on December 26, 1967, and is effective on publication in the FEDERAL REGISTER.

S. DILLON RIPLEY,
Secretary.

[F.R. Doc. 68-1845; Filed, Feb. 13, 1968;
8:49 a.m.]

Title 45—PUBLIC WELFARE

Subtitle A—Department of Health, Education, and Welfare, General Administration

PART 85—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES

Subpart—Crankcase Emissions

APPLICABILITY

Notice of proposed rule making, public rule making procedures and postponement of effective date have been omitted as unnecessary in the issuance of the following amendment to this part which excepts motorcycles and motorcycle engines from the crankcase emission standards.

Section 85.10 is revised to read as follows:

§ 85.10 Applicability.

The provisions of this subpart are applicable to all gasoline powered new motor vehicles and new motor vehicle engines beginning with the model year 1968 for such vehicles or engines, except motorcycles and motorcycle engines. As used in this subpart, the term "motorcycle" means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels (including any tricycle wheel arrangement) in contact with the

ground and weighing less than 1,500 pounds.

(Sec. 301(a), 81 Stat. 504)

Dated: February 6, 1968.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 68-1804; Filed, Feb. 13, 1968;
8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 17925; FCC 68-134]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 87—AVIATION SERVICES

Termination Dates for Use of Certain Band by Aircraft Radio Altimeters on Secondary Basis

Report and order. In the matter of amendment of Parts 2 and 87 of the Commission's rules to extend the termination date for the use of the band 420-460 Mc/s by aircraft radio altimeters and to place these altimeters on a secondary basis, Docket No. 17925, RM-1166.

1. The Commission on December 13, 1967 adopted a notice of proposed rule making in the above-entitled matter (FCC 67-1346) which was duly published in the FEDERAL REGISTER on December 19, 1967 (32 F.R. 18115). Opportunity was afforded interested persons to submit comments by January 3, 1968.

2. The only comment received in this docket was a joint filing from the Air Transport Association and Aeronautical Radio, Inc. Both concurred in the proposal as set forth in the notice of proposed rule making.

3. Authority for the amendment is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended. Further, since this amendment relieves an existing restriction it may become effective immediately under provision of section 4(c) of the Administrative Procedure Act 5 U.S.C. 553(c).

4. In view of the foregoing: *It is ordered*, That effective February 15, 1968, §§ 2.106 and 87.183(m) of the Commission's rules are amended as set forth below and the proceeding is hereby terminated.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: February 7, 1968.

Released: February 12, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

¹ Commissioner Cox abstaining from voting.

§ 2.106 [Amended]

1. In § 2.106, footnote US6 is amended to read as follows:

US6 Radio altimeters operating in the band 420-460 Mc/s under a valid authorization on February 15, 1968, may continue to operate after that date, on the condition that harmful interference is not caused to stations of services operating in accordance with the U.S. Table of Frequency Allocations. Such authorizations may be renewed, but no new authorizations will be granted after February 15, 1968, and all radio altimeter operations in this band shall be discontinued prior to January 1, 1973.

2. In § 87.183, paragraph (m) is amended to read as follows:

§ 87.183 Frequencies available.

(m) 420-460 Mc/s: Frequency band available for aircraft radio altimeter functions. Radio altimeters operating in this band under a valid authorization on February 15, 1968, may continue to operate after that date, on the condition that harmful interference is not caused to stations of services operating in accordance with the U.S. Table of Frequency Allocations. Such authorizations may be renewed, but no new authorizations will be granted after February 15, 1968, and all radio altimeter operations in this band shall be discontinued prior to January 1, 1973.

NOTE: Altimeters are not entitled to protection from harmful interference.

[F.R. Doc. 68-1837; Filed, Feb. 13, 1968; 8:49 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 158—UNDELIVERABLE MAIL

Treatment by Classes and Obvious Value Mail

1. In § 158.2, paragraphs (d) and (e) are revised to clarify the change in the fees for "Address Correction Requested" service and to introduce a new "Forwarding and Return Postage Guaranteed" service.

§ 158.2 Treatment by classes.

(d) *Third-class mail*—(1) *Return of mail*. Undeliverable third-class mail bearing the words "Return Postage Guaranteed" will be returned to the sender and postage at the single piece third-class rate will be collected on delivery. The piece will be marked undeliverable as addressed. The reason why the piece is undeliverable as addressed or the addressee's new address will not be endorsed on the piece.

(2) *Forwarding and return of mail*. Undeliverable third-class mail bearing the words "Forwarding and Return Postage Guaranteed" will be forwarded when the new address is known, and postage at the single piece third-class rate will be

collected from the addressee. If the addressee refuses to pay the forwarding postage, the piece will be returned to the sender who must pay postage at the single piece third-class rate for its forwarding plus postage at the single piece third-class rate for its return. If the piece cannot be forwarded because the new address is not known, it will be given the Return Postage Guaranteed service provided for in subparagraph (1) of this paragraph.

(3) *Address correction service*. The addressee's new address, or the reason why a third-class mailing piece is undeliverable if the new address is not known, may be obtained by the sender either independently of, or in combination with the return and forwarding services provided by subparagraphs (1) and (2) of this paragraph. To obtain these services, the mailing piece must bear the words

Address correction requested;
Address correction requested return postage guaranteed; or
Address correction requested forwarding and return postage guaranteed.

according to the service desired. The following conditions govern these services:

(i) A piece weighing 4 ounces or less bearing the words "Address correction requested" will be returned to the sender for a fee of 10 cents with the new address or reason endorsed on the piece.

(ii) When a piece weighing more than 4 ounces bears the words "Address correction requested," Form 3579 will be used to notify the sender for a fee of 10 cents. Form 3579 and the old address portion of the mailing piece will be prepared for mailing to the sender in an envelope, in the same manner the form is prepared for mailing to second-class and controlled circulation publications (see § 158.2(b)(1)(ii)).

(iii) When a piece weighing more than 4 ounces and bearing the words "Address correction requested return postage guaranteed" or "Address correction requested forwarding and return postage guaranteed" must be returned to the sender by the post office of original address because the piece cannot be forwarded, Form 3579 will be affixed to the piece, and it will be returned to the sender for a fee of 10 cents for the Form 3579 plus the single piece third-class postage for the piece.

(iv) When a piece of any weight bearing the words "Address correction requested, Address correction requested return postage guaranteed, or Address correction requested forwarding and return postage guaranteed" is forwarded to the addressee in compliance with

either the sender's or addressee's (see § 157.1(a)(3) of this chapter) guarantee to pay forwarding postage, Form 3547 will be used by the forwarding post office to furnish the sender the new address for a fee of 10 cents.

(e) *Fourth-class mail*. Undeliverable fourth-class mail will be handled according to the instructions in paragraph (d) of this section for handling third-class mail weighing more than 4 ounces, except that fourth-class rates apply in all instances where third-class rates are mentioned. The address correction and the return and forwarding services provided for third-class mail may be used for fourth-class mail.

NOTE: The corresponding Postal Manual sections are 158.24 and 158.25 respectively.

II. Section 158.8 is revised to clarify regulations relating to Obvious value mail.

§ 158.8 Obvious value mail.

(a) *Identified*. The sender of third- and fourth-class mail may identify pieces which are considered to be of obvious value and assure their delivery or return by using the Return postage guaranteed or the Forwarding and return postage guaranteed services provided by §§ 158.2(d)(a) and (b) and 158.2(e).

(b) *Unidentified*. When an undeliverable piece does not bear the sender's guarantee to pay forwarding or return postage, its value must be appraised before it is disposed of. Packages containing merchandise or personal property such as photographs, jewelry, or clothing are examples of matter having obvious value. Miscellaneous printed matter such as circulars and articles unsolicited by the addressee, such as samples of merchandise, are examples of matter which is not of obvious value.

(c) *Disposition*. When a piece not endorsed as shown in this section is determined to be of obvious value, it must not be disposed of as waste, and it must not be sent to dead letter or dead parcel branches if it can be forwarded to the addressee or returned to the sender. If the addressee has guaranteed to pay forwarding postage for matter of obvious value (see § 158.1(a)(2)), the piece will be forwarded. If the piece cannot be forwarded, it will be returned to the sender at the applicable postage rates.

NOTE: The corresponding Postal Manual section is 158.8.

(5 U.S.C. 301, 39 U.S.C. 501, Public Law 90-206)

TIMOTHY J. MAY,
General Counsel.

FEBRUARY 8, 1968.

[F.R. Doc. 68-1813; Filed, Feb. 13, 1968; 8:46 a.m.]

PART 171—MONEY ORDERS

Changes in Conversion Rates for International Money Orders

In § 171.2, Tables 1 and 5 under paragraph (b) are revised to show new conversion rates and are effective February 15, 1968:

§ 171.2 International money orders.

(b) *Conversion tables, international money orders.*

TABLE No. 1

(Rate: 1 United States dollar=1.08 dollars, Canadian money)

FROM 1 CENT TO 100 DOLLARS

United States money	Canadian money	United States money	Canadian money	United States money	Canadian money	United States money	Canadian money	United States money	Canadian money
Cents	Cents	Cents	Cents	Cents	Cents	Dollars	Dollars	Dollars	Dollars
1	1	40	43	79	85	19.00	20.52	58.00	62.64
2	2	41	44	80	86	20.00	21.60	59.00	63.72
3	3	42	45	81	87	21.00	22.68	60.00	64.80
4	4	43	46	82	88	22.00	23.76	61.00	65.88
5	5	44	47	83	89	23.00	24.84	62.00	66.96
6	6	45	48	84	90	24.00	25.92	63.00	68.04
7	7	46	49	85	91	25.00	27.00	64.00	69.12
8	8	47	50	86	92	26.00	28.08	65.00	70.20
9	9	48	51	87	93	27.00	29.16	66.00	71.28
10	10	49	52	88	94	28.00	30.24	67.00	72.36
11	11	50	53	89	95	29.00	31.32	68.00	73.44
12	12	51	54	90	96	30.00	32.40	69.00	74.52
13	13	52	55	91	97	31.00	33.48	70.00	75.60
14	14	53	56	92	98	32.00	34.56	71.00	76.68
15	15	54	57	93	99	33.00	35.64	72.00	77.76
16	16	55	58	94	1.00	34.00	36.72	73.00	78.84
17	17	56	59	95	1.02	35.00	37.80	74.00	79.92
18	18	57	60	96	1.04	36.00	38.88	75.00	81.00
19	19	58	61	97	1.05	37.00	39.96	76.00	82.08
20	20	59	62	98	1.06	38.00	41.04	77.00	83.16
21	21	60	63	99	1.07	39.00	42.12	78.00	84.24
22	22	61	64	1.00	1.08	40.00	43.20	79.00	85.32
23	23	62	65	2.00	2.16	41.00	44.28	80.00	86.40
24	24	63	66	3.00	3.24	42.00	45.36	81.00	87.48
25	25	64	67	4.00	4.32	43.00	46.44	82.00	88.56
26	26	65	68	5.00	5.40	44.00	47.52	83.00	89.64
27	27	66	69	6.00	6.48	45.00	48.60	84.00	90.72
28	28	67	70	7.00	7.56	46.00	49.68	85.00	91.80
29	29	68	71	8.00	8.64	47.00	50.76	86.00	92.88
30	30	69	72	9.00	9.72	48.00	51.84	87.00	93.96
31	31	70	73	10.00	10.80	49.00	52.92	88.00	95.04
32	32	71	74	11.00	11.88	50.00	54.00	89.00	96.12
33	33	72	75	12.00	12.96	51.00	55.08	90.00	97.20
34	34	73	76	13.00	14.04	52.00	56.16	91.00	98.28
35	35	74	77	14.00	15.12	53.00	57.24	92.00	99.36
36	36	75	78	15.00	16.20	54.00	58.32	93.00	100.44
37	37	76	79	16.00	17.28	55.00	59.40		
38	38	77	80	17.00	18.36	56.00	60.48		
39	39	78	81	18.00	19.44	57.00	61.56		

TABLE No. 5

(Rate: 1 krona (or other unit of foreign currency)=13½ cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Kroner	Cents	Kroner	Cents	Kroner	Dollars	Kroner	Dollars	Kroner
1	0.07	41	3.04	81	6.00	22.00	162.96	62.00	459.26
2	.15	42	3.11	82	6.07	23.00	170.37	63.00	466.67
3	.22	43	3.19	83	6.15	24.00	177.78	64.00	474.07
4	.30	44	3.26	84	6.22	25.00	185.19	65.00	481.48
5	.37	45	3.33	85	6.30	26.00	192.59	66.00	488.89
6	.44	46	3.41	86	6.37	27.00	200.00	67.00	496.30
7	.52	47	3.48	87	6.44	28.00	207.41	68.00	503.70
8	.59	48	3.56	88	6.52	29.00	214.81	69.00	511.11
9	.67	49	3.63	89	6.59	30.00	222.22	70.00	518.52
10	.74	50	3.70	90	6.67	31.00	229.63	71.00	525.93
11	.81	51	3.78	91	6.74	32.00	237.04	72.00	533.33
12	.89	52	3.85	92	6.81	33.00	244.44	73.00	540.74
13	.96	53	3.93	93	6.89	34.00	251.85	74.00	548.15
14	1.04	54	4.00	94	6.96	35.00	259.26	75.00	555.56
15	1.11	55	4.07	95	7.04	36.00	266.67	76.00	562.96
16	1.19	56	4.15	96	7.11	37.00	274.07	77.00	570.37
17	1.26	57	4.22	97	7.19	38.00	281.48	78.00	577.78
18	1.33	58	4.30	98	7.26	39.00	288.89	79.00	585.19
19	1.41	59	4.37	99	7.33	40.00	296.30	80.00	592.59
20	1.48	60	4.44	1.00	7.41	41.00	303.70	81.00	600.00
21	1.56	61	4.52	2.00	14.81	42.00	311.11	82.00	607.41
22	1.63	62	4.59	3.00	22.22	43.00	318.52	83.00	614.81
23	1.70	63	4.67	4.00	29.63	44.00	325.93	84.00	622.22
24	1.78	64	4.74	5.00	37.04	45.00	333.33	85.00	629.63
25	1.85	65	4.81	6.00	44.44	46.00	340.74	86.00	637.04
26	1.93	66	4.89	7.00	51.85	47.00	348.15	87.00	644.44
27	2.00	67	4.96	8.00	59.26	48.00	355.56	88.00	651.85
28	2.07	68	5.04	9.00	66.67	49.00	362.96	89.00	659.26
29	2.15	69	5.11	10.00	74.07	50.00	370.37	90.00	666.67
30	2.22	70	5.19	11.00	81.48	51.00	377.78	91.00	674.07
31	2.30	71	5.26	12.00	88.89	52.00	385.19	92.00	681.48
32	2.37	72	5.33	13.00	96.30	53.00	392.59	93.00	688.89
33	2.44	73	5.41	14.00	103.70	54.00	400.00	94.00	696.30
34	2.52	74	5.48	15.00	111.11	55.00	407.41	95.00	703.70
35	2.59	75	5.56	16.00	118.52	56.00	414.81	96.00	711.11
36	2.67	76	5.63	17.00	125.93	57.00	422.22	97.00	718.52
37	2.74	77	5.70	18.00	133.33	58.00	429.63	98.00	725.93
38	2.81	78	5.78	19.00	140.74	59.00	437.04	99.00	733.33
39	2.89	79	5.85	20.00	148.15	60.00	444.44	100.00	740.74
40	2.96	80	5.93	21.00	155.56	61.00	451.85		

NOTE: The corresponding Postal Manual section is 172.22.

(5 U.S.C. 301, 39 U.S.C. 501, 505)

FEBRUARY 8, 1968.

[F.R. Doc. 68-1812; Filed, Feb. 13, 1968; 8:45 a.m.]

TIMOTHY J. MAY,
General Counsel.Title 43—PUBLIC LANDS:
INTERIORChapter II—Bureau of Land Management,
Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4351]

[Colorado 624]

COLORADO

Revocation of National Forest Administrative Site Withdrawal

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 2618 of May 11, 1917, withdrawing the following described public lands for use of the Forest Service as an administrative site, is hereby revoked:

SIXTH PRINCIPAL MERIDIAN

T. 5 S., R. 82 W.,

Sec. 1, NE¼SE¼.

Containing 40 acres in Eagle County. 2. Until 10 a.m. on August 8, 1968, the State of Colorado shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 8, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws for metalliferous minerals. They will be open to location for nonmetalliferous minerals at 10 a.m. on August 8, 1968.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Denver, Colo.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 8, 1968.

[F.R. Doc. 68-1806; Filed, Feb. 13, 1968; 8:46 a.m.]

[Public Land Order 4352]

[Montana 5775]

MONTANA

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The order of the Bureau of Reclamation dated March 10, 1954, concurred in by the Bureau of Land Management on September 2, 1955, withdrawing lands for the Missouri River Basin Project, is hereby revoked so far as it affects the following described lands:

PRINCIPAL MERIDIAN

T. 30 N., R. 11 E.,
Sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 40 acres in Hill County.

The tract is isolated from other public lands and is the only public domain within the township. The area is rolling plains country. Water is not available. Access is by dirt, unimproved road and across private lands.

2. Until 10 a.m. on August 8, 1968, the State of Montana shall have a preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 8, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands will be open to location under the United States mining laws at 10 a.m. on August 8, 1968. They have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Billings, Mont.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 8, 1968.

[F.R. Doc. 68-1807; Filed, Feb. 13, 1968;
8:46 a.m.]

[Public Land Order 4353]

[Anchorage 18]

ALASKA

Partial Revocation of Public Land
Order No. 2418

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 2418 of June 27, 1961, withdrawing lands for military purposes is hereby revoked so far as it affects the following described lands:

COPPER RIVER MERIDIAN

T. 4 N., R. 1 W. (partly unsurveyed),

Sec. 3, W $\frac{1}{2}$ NW $\frac{1}{4}$;

Sec. 4, lots 1 and 4, and that portion of the NE $\frac{1}{4}$ not within lots 1 and 4, lots 2 and 3, lot 5 and that portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$ not within lot 5, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 7, lots 17, 21, 22, 26, 27, 31, 32, 36, 37, 41, and 42, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 8, S $\frac{1}{2}$.

T. 5 N., R. 1 W. (partly unsurveyed),

Sec. 32, NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 33;

Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$;

Sec. 20, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 21, SW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 27, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 28;

Sec. 29, SE $\frac{1}{4}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 4,141.12 acres.

2. Until 10 a.m. on May 9, 1968, the State of Alaska shall have a preferred right to select the lands released from withdrawal by paragraph 1 of this order, as provided by section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the lands shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 9, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 8, 1968.

[F.R. Doc. 68-1808; Filed, Feb. 13, 1968;
8:46 a.m.]

[Public Land Order 4354]

[Oregon 1296 (Wash.)]

WASHINGTON

Opening of Lands Subject to Section
24 of the Federal Power Act

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

In DA-201-Washington, the Federal Power Commission determined that the power value of the following described lands, withdrawn by the Executive Order of October 29, 1910, establishing Power-site Reserve No. 158, will not be injured or destroyed by restoration to location, entry, or selection under appropriate public land laws, subject to the pro-

visions of section 24 of the Federal Power Act:

WILLAMETTE MERIDIAN

T. 32 N., R. 9 E.,

Sec. 24, part of lots 9 and 12, and all of lots 15, 16, 17, 18, and 19.

The areas described aggregate 25.86 acres in Snohomish County.

1. Until 10 a.m. on August 8, 1968, the State of Washington shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 8, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

2. Any disposals of the lands described in this order shall be subject to the provisions of section 24 of the Federal Power Act, supra.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws subject to provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Ore.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 8, 1968.

[F.R. Doc. 68-1809; Filed, Feb. 13, 1968;
8:46 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration,
Department of Commerce

MISCELLANEOUS AMENDMENTS TO
CHAPTER

Effective as of the date of publication in the FEDERAL REGISTER, Chapter II of Title 46, Code of Federal Regulations, is amended as set forth below:

PART 221—DOCUMENTATION,
TRANSFER OR CHARTER OF VES-
SELS

1. Amend § 221.5 *Types of vessels approved by § 221.4* by changing the words "Customs inspector" in paragraph (c) thereof to read "Officer in Charge, Marine Inspection, United States Coast Guard."

2. Delete § 221.12 *Instance in which Subsection 0(a) [Ship Mortgage Act, 1920] does not apply.*

3. Amend § 221.13 *Uniform Bareboat Charter of a Government-owned dry-cargo vessel under section 705 of the Merchant Marine Act, 1936, as amended, "Form No. 705"* by changing the words

"because of race, religion, color, or national origin" in Clause 47 *Nondiscrimination in employment* to read "because of race, color, religion, sex, or national origin."

4. Delete § 221.15 *Fee for processing applications for approval of surrender of marine documents of vessels under sec. 30, subsection 0(a), Merchant Marine Act, 1920, as amended.*

PART 222—STATEMENTS, REPORTS, AND AGREEMENTS REQUIRED TO BE FILED

1. Amend § 222.1 *Statements required to be filed pursuant to section 807, Merchant Marine Act, 1936, paragraphs (a), (b), and (d) by changing the agency designation "Federal Maritime Board" to read "Maritime Subsidy Board".*

2. Amend § 222.4 *Notice of failure to comply herewith and that petition for relief may be filed by changing the words "collector of customs" to read "District Director of Customs as defined in 19 CFR 1.1(d)."*

PART 281—INFORMATION AND PROCEDURE REQUIRED UNDER OPERATING-DIFFERENTIAL SUBSIDY AGREEMENTS

1. Amend § 281.1 *Information and procedure required under the operating differential subsidy agreement, paragraphs (c), (e), and (g) by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

2. Amend § 281.13 *Hearings, paragraph (c) by changing the agency designation "Federal Maritime Board" to read "Maritime Subsidy Board".*

PART 282—UNIFORM SYSTEM OF ACCOUNTS FOR OPERATING-DIFFERENTIAL SUBSIDY CONTRACTORS

1. Amend paragraph (d) of § 282.500 *Unterminated voyage revenue and paragraph (c) of § 282.600 Operating revenue; terminated voyages, by changing the words "forty-eight States of the United States" to read "fifty States of the United States."*

2. Amend § 282.616 *U.S. mail; coastwise and intercoastal by changing the figure "48" to read "fifty."*

PART 285—DETERMINATION OF PROFIT IN CONTRACTS AND SUBCONTRACTS FOR CONSTRUCTION, RECONDITIONING, OR RECONSTRUCTION OF SHIPS

1. Amend footnote to § 285.5 *Audits by deleting the words "and acceptance of payment."*

2. Amend § 285.11 *Definitions, paragraph (c) by changing the agency designation "Federal Maritime Board" to read "Maritime Subsidy Board".*

3. Amend § 285.32 *Submission of accounting data to Administration, paragraph (b) and § 285.61 Contractors, footnote by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

4. Amend the footnote to § 285.61 *Contractors, concerning Forms MA-250 and MA-251, to read as follows:*

¹ Filed as part of the original document with the Office of the Federal Register; requests for copies should be addressed to the Coast Directors or Maritime Administration, Department of Commerce, Washington, D.C. 20235.

PART 286—ESTABLISHMENT AND MAINTENANCE OF THE STATUTORY CAPITAL AND SPECIAL RESERVE FUNDS AND DETERMINATION OF "CAPITAL NECESSARILY EMPLOYED IN THE BUSINESS" AND "NET EARNINGS"

Section 286.2 *Creation and maintenance of statutory reserve funds, subparagraph (5) is amended by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

PART 290—FORMS

Section 290.11 *Operating-Differential Subsidy Agreement; Part II, General Provisions, paragraph (b) is amended by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

PART 291—DEFINITION OF CAPITAL NECESSARILY EMPLOYED IN THE BUSINESS

Section 291.5 *Definition of capital necessarily employed in the business, footnote to paragraph (f) (1) is amended by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

PART 292—PROCEDURE TO BE FOLLOWED BY OPERATORS IN THE RENDITION TO THE MARITIME ADMINISTRATION OF ANNUAL AND FINAL ACCOUNTINGS UNDER OPERATING-DIFFERENTIAL SUBSIDY AGREEMENTS

1. Amend § 292.1 *Annual and final accountings by operators under operating-differential subsidy agreements; procedure by (1) changing the word "or" following the words "Maritime Commission" to a comma, (2) inserting the words "or the Maritime Subsidy Board" following the words "Federal Maritime Board," and (3) by deleting the words "of the United States Maritime Commission" following the parenthetical reference to General Order 71.*

2. Amend § 292.2 *Definitions by inserting the words "or the Maritime Subsidy Board" following the words "Federal Maritime Board."*

3. Section 292.3 *Accounting requirements, the penultimate sentence of paragraph (b) (4) is amended by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

4. Amend § 292.7 *Certifications and verifications by inserting the words "Maritime Subsidy Board or the former" preceding the words "Federal Maritime Board" in the first sentence of the Affidavit.*

PART 298—FEDERAL SHIP MORTGAGE AND LOAN INSURANCE

In § 298.3 *Applications, paragraphs (f) and (g) are amended by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

PART 299—RULES AND REGULATIONS, FORMS, AND CITIZENSHIP REQUIREMENTS

Amend the following sections by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235":

(a) § 299.31 *Charter of war-built vessels to citizens of the United States, paragraph (a) Application and paragraph (b) Amendment of application;*

(b) § 299.40 *Annual and final accountings, paragraph (d).*

PART 308—WAR RISK INSURANCE

Amend the following sections by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235":

(a) § 308.404 *Application for insurance;*

(b) § 308.509 *Collateral deposit fund, paragraph (b) Cash or Government bonds;*

(c) § 308.528 *Surety Bond A, Form MA-308, paragraph 2.*

PART 310—MERCHANT MARINE TRAINING

Subpart D—*Regulations for receipt of donations for chapel and library at United States Merchant Marine Academy, Kings Point, New York is hereby redesignated General Order 108 in lieu of General Order 24, Rev. (WSA Function Series).*

PART 375—EXCHANGE OF WAR-BUILT VESSELS

In § 375.4 *Application for exchange, paragraph (a) is amended by changing the address "Washington 25, D.C." to read "Washington, D.C. 20235".*

Dated: February 8, 1968.

By order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-1824; Filed, Feb. 13, 1968; 8:48 a.m.]

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 8, Part 1; Docket No. 65-14]

PART 526—FREE TIME AND DEMURRAGE CHARGES ON IMPORT PROPERTY APPLICABLE TO ALL COMMON CARRIERS BY WATER

Postponement of Effective Date

By FEDERAL REGISTER publication of December 12, 1967 (32 F.R. 17667), the Commission amended its General Order 8, Part 1, setting forth amended rules governing free time and demurrage charges on import cargo at the Port of New York. These rules are scheduled to become effective on February 15, 1968.

Several inquiries have been received concerning various interpretations of these rules. The Commission is of the opinion that the rules can be rewritten in order to state their purpose more clearly. Accordingly, the effective date of the forementioned rules is postponed until March 18, 1968.

By the Commission.

[SEAL]

THOMAS LISI,
Secretary.

[F.R. Doc. 68-1793; Filed, Feb. 13, 1968; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Columbia National Wildlife Refuge, Wash.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

WASHINGTON

COLUMBIA NATIONAL WILDLIFE REFUGE

Sport fishing on the Columbia National Wildlife Refuge, Wash., is permitted only on the area designated by signs as open to fishing. This open area, comprising approximately 1,500 acres of lakes and 41 miles of streams, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) Sport fishing shall be permitted on the refuge as follows: Waters open April 21 through August 15, 1968:

Mallard Lake, Migraine Lake and Scabrock Lakes.

Waters open July 7 through September 30, 1968: Lower Crab Creek within Management Units I and III as posted.

Waters open April 21 through September 30, 1968: Lower Crab Creek within Management Units II, IV, and V, and Royal Lake.

(2) The use of boats and outboard motors is prohibited on lakes so posted.

(3) Fishing on Juvenile Lake permitted only to persons under 14 years of age as posted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through March 15, 1969.

HENRY BAETKEY,

Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 31, 1968.

[F.R. Doc. 68-1805; Filed, Feb. 13, 1968; 8:48 a.m.]

Title 23—HIGHWAYS AND VEHICLES

Chapter II—Vehicle and Highway Safety

[Docket No. 8]

PART 255—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Motor Vehicle Safety Standard No. 202; Head Restraints—Passenger Cars

A proposal to amend § 255.21 of Part 255, Federal Motor Vehicle Safety Standards, by adding a new standard, Head Restraints—Passenger Cars; was published in the FEDERAL REGISTER on December 28, 1967 (32 F.R. 20865).

Interested persons have been afforded an opportunity to participate in the making of the amendment.

Several comments requested that the use of a 50th percentile adult male manikin be permitted in demonstrating compliance with the Standard. The Administration feels that a 50th percentile manikin is not representative of a large enough percentage of the public, but recognizes that certain modifications to a 50th percentile manikin may result in a suitable test device. Therefore, the Standard has been modified to permit use of an approved equivalent test device.

A comment from an equipment manufacturer and an equipment manufacturers' association asserted that the Standard should not require that motor vehicle manufacturers provide head restraints at the time of vehicle manufacture, but that each customer should be free to equip his vehicle with head restraints of his own choice, maintaining that the installation of head restraints

is a relatively simple matter and that there appears to be virtually no technological advantage in requiring factory installation. The Administration has determined that safety dictates that head restraints be provided on all passenger cars manufactured on or after January 1, 1969, and that a head restraint standard that merely specified performance requirements for head restraint equipment would not insure that all passenger cars would be so equipped, and would not, therefore, meet the need for safety. Furthermore, the Administration has determined that the performance of a head restraint is dependent upon the strength of the structure of the seat to which it is attached, as well as the compatibility of the head restraint with its anchorage to the seat structure.

Some of the comments expressed concern that the proposed Standard would exclude the use of head restraints that are integral with the seat back. The Administration did not intend to imply that "add-on" head restraint devices are the only available means of providing appropriate levels of protection. Such protection may be achieved by the use of a restraint system that is integral with the seat back.

Some comments noted that when testing head restraints that are adjustable to a height of more than 27.5 inches above the seating reference point, the load would not be applied to the appropriate portion of the head restraint. To provide the necessary flexibility, the Standard has been modified to specify that the point of load application and the point of width measurement be determined relative to the top of the head restraint rather than the seating reference point.

Some comments stated that the 8g performance requirement would be incomplete without the inclusion of a time duration requirement. The Administration has concluded that a minimum time duration of 80 milliseconds is appropriate and the Standard has been so modified.

Some comments requested that the location of the head restraint relative to the torso line be measured without a load being applied to the head restraint. The Administration feels that this measurement would be unrealistic and, therefore, the Standard requires that the measurement be taken during the application of the 132-pound initial load.

Many comments requested a more precise description of the method to be used in locating the test device's reference line and torso reference line. Therefore, the Standard has been modified to provide the necessary clarification.

Some comments claimed that lead time would be a problem; however, the Administration believes that the need to protect the public from neck injury outweighs the possible lead time problems.

Several comments requested clarification of the term "approved representation of a human articulated neck structure." "Approved" is defined in § 255.3(b) as "approved by the Secretary." The Secretary would approve the neck structure of a test device if it could be demonstrated by technical test data that the

articulation of the neck structure represented that of a human neck. Approval could only be given to a structure sufficiently described in performance parameters to ensure reliable and reproducible test data.

In consideration of the foregoing, § 255.21 of Part 255, Federal Motor Vehicle Safety Standards, is amended by adding Standard No. 202 as set forth below, effective January 1, 1969.

(Secs. 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966; 15 U.S.C. 1392, 1407; and the delegation of authority of Mar. 31, 1967, 32 F.R. 5606; as amended Apr. 6, 1967, 32 F.R. 6495; July 27, 1967, 32 F.R. 11276; Oct. 11, 1967, 32 F.R. 14277; Nov. 8, 1967, 32 F.R. 15710, and Feb. 8, 1968)

Issued in Washington, D.C., on February 12, 1968.

LOWELL K. BRIDWELL,
Federal Highway Administrator.

MOTOR VEHICLE SAFETY STANDARD NO. 202

HEAD RESTRAINTS—PASSENGER CARS

S1. Purpose and scope. This standard specifies requirements for head restraints to reduce the frequency and severity of neck injury in rear-end and other collisions.

S2. Application. This standard applies to passenger cars.

S3. Definitions. "Head restraint" means a device that limits rearward angular displacement of the occupant's head relative to his torso line.

S4. Requirements. A head restraint that conforms to either (a) or (b) shall be provided at each outboard front designated seating position—

(a) It shall, when tested in accordance with S5.1, during a forward acceleration of at least 8g on the seat supporting structure, limit rearward angular displacement of the head reference line to 45° from the torso reference line; or

(b) It shall, when adjusted to its fully extended design position, conform to each of the following—

(1) When measured parallel to torso line, the top of the head restraint shall not be less than 27.5 inches above the seating reference point;

(2) When measured 2.5 inches below the top of the head restraint, the lateral width of the head restraint shall be not less than—

(i) 10 inches for use with bench-type seats; and

(ii) 6.75 inches for use with individual type seats;

(3) When tested in accordance with S5.2, the rearmost portion of the head form shall not be displaced to more than 4 inches perpendicularly rearward of the displaced extended torso reference line during the application of the load specified in S5.2(c); and

(4) When tested in accordance with S5.2, the head restraint shall withstand an increasing load until one of the following occurs—

(i) Failure of the seat or seat back; or
(ii) Application of a load of 200 pounds.

S5. Demonstration procedures.

S5.1 Compliance with S4.(a) shall be demonstrated in accordance with the following with the head restraint in its fully extended design position:

(a) On the exterior of the torso of a test device having the weight and seated height of a 95th percentile adult male with an approved representation of a human, articulated neck structure, or an approved equivalent test device, establish a reference line that, in profile view, coincides with the torso line of the test device.

(b) Place the head of the test device specified in (a) so that its center of gravity coincides, in profile view, with the extended torso reference line of the test

device and establish a reference line on the exterior of the head that, in profile view, coincides with the extended torso reference line.

(c) At each designated seating position having a head restraint, place the test device, snugly restrained by a Type 1 seat belt, in the manufacturer's recommended design seated position.

(d) During a forward acceleration of at least 8g for at least 80 milliseconds on the structure supporting the seat, measure the maximum rearward angular displacement between the extended torso reference line and the head reference line.

S5.2 Compliance with S4.(b) shall be demonstrated in accordance with the following with the head restraint in its fully extended design position:

(a) Locate the extended torso reference line at the manufacturer's recommended design seated position.

(b) Establish a line from the seating reference point to a point on the basic seat back structure 22 inches above the seating reference point (measured along the line) or at the top of the basic seat back structure, whichever is lower.

(c) Using a 6.5-inch diameter head form, apply, perpendicular to the torso line, a rearward initial load of 132 pounds 2.5 inches below the top of the head restraint.

(d) Locate the displaced extended torso reference line by rotating the extended torso reference line through an angle equal to the rearward angular displacement (due to the application of the load specified in (c)) of the line established in accordance with (b).

(e) Gradually increase this initial load to 200 pounds or until the seat or seat back fails, whichever occurs first.

Effective date: January 1, 1969.

[F.R. Doc. 68-1909; Filed, Feb. 13, 1968; 8:55 a.m.]

Proposed Rule Making

POST OFFICE DEPARTMENT

[39 CFR Part 132]

SECOND CLASS

Marking of Paid Reading Matter

Notice is hereby given of proposed rule making consisting of the addition of a new paragraph (c) to § 132.7 of Title 39, Code of Federal Regulations. This new paragraph would require publishers to mark each separate paid editorial or reading article as "advertisement" on each page where it appears, whether it occupies a full page, part of a page, or a number of pages.

Interested persons who may wish to submit written data, arguments, and views concerning the proposal may submit such comments to the Director, Classification and Special Services Division, Bureau of Operations, Post Office Department, Washington, D.C. 20260, at any time prior to the 30th day following the date of publication of this notice in the FEDERAL REGISTER.

Accordingly, it is proposed that new paragraph (c) in § 132.7 read as follows:

§ 132.7 Marking of paid reading matter.

(c) Each paid editorial or reading article which occupies all or any part of one page must be marked plainly "advertisement." Each paid editorial or reading article which occupies more than one page must be marked plainly "advertisement" on each page or part of a page which it occupies.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

FEBRUARY 8, 1968.

[F.R. Doc. 68-1748; Filed, Feb. 13, 1968; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 980]

ONION IMPORTS

Notice of Proposed Rule Making

Notice is hereby given of a proposed amendment to § 980.106, *Onion Import Regulation* (32 F.R. 12156), applicable to the importation of onions into the United States to become effective March 15, 1968, under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Under section 8e-1 of the act, whenever two or more marketing orders are concurrently in effect regulating the same agricultural commodity produced in different areas of the United States,

the importation of such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition.

Onion import regulation § 980.106 (32 F.R. 12156), effective since September 1, 1967, complies with the grade, size, quality, and maturity requirements for onions handled under Marketing Order No. 958, as amended (7 CFR Part 958) regulating shipments of onions grown in designated counties of Idaho and Eastern Oregon. Grade, size, quality, and maturity requirements also are to become effective during the period March 1 through June 15, 1968, under Marketing Order No. 959, as amended (7 CFR Part 959), regulating the handling of onions grown in South Texas.

Consideration will be given to any data, views, or arguments pertaining to the proposed amendment which are filed in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 15 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendment is as follows:

In § 980.106 *Onion import regulation* (32 F.R. 12156), delete the introductory paragraph and paragraphs (a) and (h) and substitute in lieu thereof a new introductory paragraph and new paragraphs (a), (h) and (i) as set forth below. Paragraph (b) is republished for information.

§ 980.106 Onion import regulation.

Except as otherwise provided, during the period beginning March 15, 1968, and continuing through June 15, 1968, no person may import dry onions unless such onions are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements*—(1) *Grade*. Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Applications of tolerances in U.S. Grade Standards shall apply to in-grade lots.

(2) *Size*. White onions—1 inch minimum diameter; all other varieties of onions—1 1/4 inches minimum diameter.

(b) *Condition*. Due consideration shall be given to the time required for transportation and entry of onions into

the United States. Onions with transit time from country of origin to entry into the United States of 10 or more days may be entered if they meet an average tolerance for decay of not more than 5 percent, provided they also meet the requirements of this section.

(h) It is hereby determined that imports of onions during the period March 15 through June 15, 1968, will be in most direct competition with onions produced in the South Texas production area and that the import regulations during such period shall be based on regulations in effect for South Texas onions under Marketing Order No. 959, as amended (7 CFR Part 959).

(i) *Definitions*. For the purpose of this section, "Onions" means all (except red) varieties of *Allium cepa* marketed dry, except dehydrated, canned and frozen onions, onion sets, green onions, and pickling onions. Onions commonly referred to as "braided," that is, with tops, may be imported if they meet the grade and size requirements except for top length. The term "U.S. No. 1" shall have the same meaning as set forth in the U.S. Standards for Grades of Bermuda-Granex-Grano Type Onions (§§ 51.3195-51.3209 of this title), or in the U.S. Standards for Grades of Onions (§§ 51.2830-51.2854 of this title), whichever is applicable to the particular variety. Tolerances for size shall be those in the United States Standards. The requirements of Canada No. 1 grade are deemed comparable to the requirements of U.S. No. 1 grade. "Importation" means release from custody of the U.S. Bureau of Customs.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: February 9, 1968.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68-1821; Filed, Feb. 13, 1968; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 1]

MILK PRODUCTS

Enforcement Regulations for Fair Packaging and Labeling Act; Exemption From Required Label Statements

Notice is given that the Milk Industry Foundation, 910 17th Street NW.,

Washington, D.C. 20006, has submitted a petition requesting that the regulations for the enforcement of the Fair Packaging and Labeling Act (21 CFR Part 1) be amended to exempt certain milk products (specified below) packaged in standardized 8-, 16-, 32-, and 64-fluid ounce and 1-gallon containers from certain requirements of § 1.8b as proposed below.

Grounds given in the petition in support of the requested exemption are: (1) That such milk products are sold in a limited number of standardized container sizes which the consumer recognizes by size and shape and understands as being ½ pint, 1 pint, 1 quart, and ½-gallon containers; (2) that for consumer protection it is not necessary to declare both ounces and larger units on these standardized, familiar packages; and (3) that the consumer is so familiar with the standardized glass or plastic container, including the 1-gallon size, that the net contents declaration need not appear within the bottom 30 percent of the principal display panel of the label.

The petitioner also requested certain other exemption provisions regarding milk products; however, these are not included in this proposal since reasonable grounds therefor were not given.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (secs. 5(b), 6(a), 80 Stat. 1298, 1299; 15 U.S.C. 1453, 1455) and the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), it is proposed that § 1.1c(a) be amended by adding thereto a new subparagraph, as follows:

§ 1.1c Exemption from required label statements.

(a) Foods. * * *

(i) Milk, cream, light cream, coffee or table cream, whipping cream, light whipping cream, heavy or heavy whipping cream, sour or cultured sour cream, half-and-half, sour or cultured half-and-half, reconstituted or recombined milk and milk products, concentrated milk and milk products, skim or skimmed milk, vitamin D milk and milk products, fortified milk and milk products, homogenized milk, flavored milk and milk products, buttermilk, cultured buttermilk, cultured milk or cultured whole buttermilk, low-fat milk (0.5 to 2.0 percent butterfat), and acidified milk and milk products, when packaged in standardized containers¹ of 8- and 64-fluid ounce capacity, are exempt from the requirements of § 1.8b(b) (2) to the extent that net contents of 8 fluid ounces and 64 fluid ounces (or 2 quarts) may be expressed as ½ pint and ½ gallon, respectively.

(ii) The products listed in subdivision (i) of this subparagraph, when packaged

in standardized 8-, 16-, 32-, and 64-fluid ounce and 1-gallon glass or plastic containers, are exempt from the placement requirement of § 1.8b(f) that the declaration of net contents be located within the bottom 30 percent of the principal display panel, provided that other required label information is conspicuously displayed on the cap or outside closure and the required net quantity of contents declaration is conspicuously blown, formed, or molded into or permanently applied to that part of the glass or plastic container that is at or above the shoulder of the container.

(iii) The products listed in subdivision (i) of this subparagraph, when packaged in standardized 16-, 32-, and 64-fluid ounce containers, are exempt from the dual net-contents declaration requirement of § 1.8b(j).

All interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal within 60 days following the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: February 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-1801; Filed, Feb. 13, 1968;
8:47 a.m.]

[21 CFR Part 128]

HUMAN FOODS

Current Good Manufacturing Practice (Sanitation) in Manufacture, Processing, Packing, or Holding; Extension of Time for Filing Comments on Proposal

In the FEDERAL REGISTER of December 15, 1967 (32 F.R. 17980), the Commissioner of Food and Drugs proposed the promulgation of regulations (21 CFR Part 128) to establish criteria for current good manufacturing practice (sanitation) in the manufacture, processing, packing, or holding of human foods. The proposal provided for the filing of comments within 60 days following its date of publication.

The Commissioner has received a request for an extension of time for filing comments and, good reason therefor appearing, the time for filing comments on the subject proposal is extended to April 13, 1968.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 402(a) (4), 701(a), 52 Stat. 1046, 1055; 21 U.S.C. 342(a) (4), 371(a)) and under the authority delegated to the Commissioner by the Secre-

tary of Health, Education, and Welfare (21 CFR 2.120).

Dated: February 5, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-1800; Filed, Feb. 13, 1968;
8:47 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 504]

[Docket No. 68-2]

CONCILIATION SERVICE

Rescheduling of Filing Dates

By FEDERAL REGISTER publication of January 18, 1968 (33 F.R. 638), the Commission invited comments in this proceeding to be filed on or before February 12, 1968.

Upon request of various parties, and good cause appearing, time for filing comments is enlarged to and including April 12, 1968. Reply of Hearing Counsel shall be filed on or before April 29, 1968. Answer to Hearing Counsel's reply shall be filed on or before May 14, 1968.

By the Commission.

[SEAL]

THOMAS LISI,
Secretary.

[F.R. Doc. 68-1836; Filed, Feb. 13, 1968;
8:49 a.m.]

**INTERSTATE COMMERCE
COMMISSION**

[49 CFR Part 1048]

[Ex Parte No. MC-37 (Sub-No. 12)]

**SEATTLE, WASH., COMMERCIAL
ZONE**

Redefinition of Limits

FEBRUARY 9, 1968.

Redefinition of the limits of the Seattle, Wash., commercial zone, heretofore defined in Ex Parte No. MC-37, Commercial Zones and Terminal Areas 48 M.C.C. 95 at page 98.

Petitioner: Seattle Traffic Association, Petitioner's representative: H. E. Franklin, Jr., 215 Columbia Street, Seattle, Wash. 98014. This republication amends the notice of proposed rule making published in the FEDERAL REGISTER on December 29, 1966 (31 F.R. 16645) which set forth, at the request of the Seattle Traffic Association, a proposed redefinition of the limits of the Seattle, Wash., commercial zone, so as to include therein Everett and Auburn, Wash. By petition filed January 22, 1968, Seattle Traffic Association now proposes to broaden the area sought to be included in the zone, and to include therein Tacoma, Wash., and points in the Tacoma commercial zone, as presently defined.

The limits of the Seattle commercial zone were originally defined on March 23, 1948, in Commercial Zones and Terminal Areas, 48 M.C.C. 95, at page 98. As there

¹ "National Bureau of Standards Handbook 44," Third Edition (1965).

defined, the Seattle commercial zone includes all points within 5 miles of the corporate limits of Seattle (except certain islands in Puget Sound) and two areas north and south of this perimeter as described in paragraphs (c) and (d) of 49 CFR 1048.24. The Tacoma commercial zone is presently defined by application of the general population-mileage formula adopted in Commercial Zones and Terminal Areas, 46 M.C.C. 665 (49 CFR 1048.101). Petitioner requests the Commission to combine the two zones into a single enlarged commercial zone and to include all points as follows: (a) The municipality of Seattle itself, (b) the municipality of Tacoma itself, (c) all points within a line drawn 5 miles beyond the municipal limits of Seattle except points and places on Bainbridge Island, Vashon Island, and Blake Island, (d) all points more than 5 miles beyond the municipal limits of Seattle within a line drawn as follows: Beginning at that point South of Seattle where the eastern shore of Puget Sound intersects the line described in (c) above, thence southerly and westerly along the eastern shore of Puget Sound and Commencement Bay to the most north-westerly point of the Tacoma city limits (Point Defiance Park), thence northerly and westerly across the water to a point where the western shore of Puget Sound intersects the north-eastern city limits of Gig Harbor, Wash., thence westerly and southerly along the city limits of Gig Harbor, Wash., to Wollochet-Gig Harbor Road, thence southwesterly along Wollochet-Gig Harbor Road to the shore of Wollochet Bay, thence southerly along the eastern shore of Wollochet Bay at Point Fosdick, thence southeasterly across the waters of Puget Sound to the point where the eastern shore of Puget Sound intersects the southern city limits of city of Tacoma, thence southerly along the eastern shore of Puget Sound to the point

where the eastern shore of Puget Sound intersects the southern city limits of Steilacoom, Wash., thence easterly along the southern city limits of Steilacoom, Wash., to a point where it meets a line drawn 5 miles beyond the southern city limits of Tacoma, Wash., thence easterly along a line drawn by 5 miles beyond the southern city limits of Tacoma, Wash., to the point where said line meets 176th Street (Frederickson Road), thence easterly along 176th Street to 38th Avenue E, thence southerly to Turner Road (projected), easterly on Turner Road (projected) to its intersection with Woodland Road (projected), northerly along Woodland Road (projected) to its intersection with 176th Street, thence easterly along 176th Street to 110 Avenue E, thence northerly along 110 Avenue E to 152d Street (Mitchell-Gould Road), thence westerly on 152d Street to State Highway 161 (Meridian Street), thence northerly along State Highway 161 to the southern city limits of Puyallup, Wash., thence easterly and northerly along the city limits of Puyallup, Wash., to its intersection with the Northern Pacific-Great Northern Railway tracks, thence northeasterly along said tracks to the city limits of Sumner, Wash., thence southerly, easterly, and northerly along the city limits of Sumner, Wash., to State Highway 163, northerly along State Highway 163 to the King-Pierce County line, thence easterly along the King-Pierce County line to 132d Avenue SE. (projected), thence northerly along 132d Avenue SE. (projected) to 352d Street, SE. (projected), thence westerly along 352d Street (projected) to the city limits to Auburn, Wash., thence northerly along the eastern city limits of Auburn, Wash., to South 312th Street (projected), thence northerly along the western shore of the Green River to South 277th Street (projected), thence easterly along South 277th Street (projected), to 104th Avenue

SE. (projected), thence northerly along 104th Avenue SE. (projected), to the point where it meets the eastern city limits of Kent, Wash., thence northerly, westerly and northerly along the eastern city limits of Kent, to the point where it again intersects the line described in (c) above at Southeast 192d Street, (e) all points more than 5 miles beyond the municipal limits of Seattle within a line drawn as follows: Beginning at that point north of Seattle where the eastern shore of Puget Sound intersects the line described in (c), thence northerly and easterly along the eastern shore of Puget Sound to the point where it intersects the city limits of Everett, Wash., thence northerly, easterly, and southerly along the northern city limits of the city of Everett to the point where it intersects State Highway 527, thence southerly along Highway 527 to the point where it again intersects the line described in (c) above, (f) all of any municipality any part of which is within the limits of the combined area defined in (c), (d), and (e) above, (g) all of any municipality wholly surrounded, or so surrounded except for a water boundary, by the cities of Seattle or Tacoma or by any other municipality included under the terms of (c), (d), (e), and (f).

This proceeding is hereby set for oral hearing at a time and place to be hereafter fixed.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection and by filing a copy thereof, with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-1828; Filed, Feb. 13, 1968;
8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[S 1280]

CALIFORNIA

Proposed Modification of a National Forest Boundary

FEBRUARY 7, 1968.

The U.S. Department of Agriculture, Forest Service, has filed an application, Serial No. S 1280, in aid of proposed legislation, to modify the boundary of the Modoc National Forest by addition of three isolated parcels to the forest.

The applicant desires to include the vacant public domain land described below, which adjoins or is situated entirely within the exterior boundary of the Modoc National Forest, in order to facilitate more efficient Government management. The proposed withdrawal segregates the lands for all appropriation under the public land laws, but not from mining or mineral leasing under the mining and mineral leasing laws.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed boundary adjustment may present their views, in writing, to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capital Mall, Sacramento, Calif. 95814.

The authorized officer of the Bureau of Land Management will prepare a report for consideration by the Secretary of the Interior who will determine whether or not the boundary adjustment will be made as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record. The lands involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 48 N., R. 9 E.,
Sec. 33, lot 11, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 40 N., R. 11 E.,
Sec. 5, lot 6.

The areas described aggregate approximately 92.78 acres in Modoc County.

JESSE H. JOHNSON,
Acting Chief,

Lands Adjudication Section.

[F.R. Doc. 68-1810; Filed, Feb. 13, 1968;
8:46 a.m.]

National Park Service

KATMAI NATIONAL MONUMENT

Notice of Intention To Extend Concession Contract

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat.

969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to extend the concession contract with Northern Consolidated Airlines, Inc., authorizing it to provide concession facilities and services for the public at Katmai National Monument, Alaska, for a period of 2 years from January 1, 1968, through December 31, 1969.

The foregoing concessioner has performed its obligations under the contract to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of a contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the publication date of this notice.

Interested parties should contact the Chief of Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: January 29, 1968.

EDWARD A. HUMMEL,
Assistant Director,
National Park Service.

[F.R. Doc. 68-1811; Filed, Feb. 13, 1968;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MICHIGAN AND TEXAS

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of Michigan and Texas, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MICHIGAN
Berrien.
Calhoun.
Hillsdale.
Jackson.
Kalamazoo.

TEXAS
Comanche.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 8th day of February 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-1822; Filed, Feb. 13, 1968;
8:48 a.m.]

Packers and Stockyards Administration

HILL & MONTGOMERY LIVESTOCK AUCTION ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard, location,
and date of posting

Current name of stockyard and
date of change in name

ARKANSAS

Hill & Montgomery Livestock Auction, Batesville, July 10, 1963.

Hill & Montgomery Livestock Auction Company, Jan. 1, 1968.

CALIFORNIA

B & B Livestock Auction Yard, Inc., Modesto, Aug. 28, 1963.

McNutt Livestock Auction, Nov. 1, 1967.

IOWA

Witthauer's Livestock Auction, Council Bluffs, May 22, 1959.

Squibb Livestock Auction, Jan. 1, 1968.

Tama Livestock Auction, Tama, May 20, 1959.

Tama Livestock Auction Co., Dec. 28, 1967.

MISSISSIPPI

Batesville Sales Company, Inc., Batesville, Jan. 13, 1959.

Batesville Livestock Commission Company, Oct. 11, 1967.

NEBRASKA

Union Livestock Commission Company, Scottsbluff, Nov. 28, 1938.

Twin City Livestock Auction Company, Jan. 1, 1968.

Original name of stockyard, location,
and date of posting

Current name of stockyard and
date of change in name

OKLAHOMA

Tonkawa Livestock Auction Company, Tonkawa, Apr. 29, 1959.

Tonkawa Livestock Auction Company, Inc., Aug. 1, 1967.

SOUTH DAKOTA

Herreid Livestock Commission Co., Inc., Herreid, June 23, 1954.

Herreid Livestock Commission Company, Inc., June 2, 1967.

Yankton Livestock Sales Company, Inc., Yankton, Jan. 18, 1944.

Yankton Livestock Auction Market, Jan. 3, 1968.

TEXAS

Menard County Commission Company, Menard, Apr. 2, 1957.

Menard County Commission Co., Nov. 13, 1967.

Done at Washington, D.C., this 8th day of February 1968.

G. H. HOPPER,
Acting Chief, Registrations, Bonds, and Reports
Branch, Livestock Marketing Division.

[F.R. Doc. 68-1844; Filed, Feb. 13, 1968; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case No. 378]

EMMERICH KURUC ET AL.

Order Denying Export Privileges

In the matter of Emmerich Kuruc, 166 Waehringuer Guertel, Vienna IX, Austria, Maireco Export-Import G.m.b.H., 166 Waehringuer Guertel, Vienna IX, Austria, Allround Establishment, Inc., Schaan and Vaduz, Liechtenstein, Respondents, Case No. 378.

By charging letters dated March 21, 1967, the respondents were charged by the Investigations Division, Office of Export Control, Bureau of International Commerce, with violations of the Export Control Regulations. In one charging letter the respondents Emmerich Kuruc and Allround Establishment, Inc., were charged with certain violations and in a separate charging letter the respondent Maireco Export-Import G.m.b.H. (sometimes called Maireco G.m.b.H.) was charged with other violations. Because of the connection of the two firms through the respondent Kuruc (as will hereinafter appear) the cases were consolidated into one proceeding. The charging letters were served on the respective parties and none of them answered and they were held in default.

In accordance with the usual practice the Compliance Commissioner held an informal hearing on January 17, 1968, at which evidence in support of the charges was presented.

The charging letters, in substance, allege that an order denying U.S. export privileges for an indefinite period was issued against respondents on June 10, 1960; that they were served with copies of said order and that it was published in the FEDERAL REGISTER, 25 F.R. 5546; that in violation of said order the respondents on numerous occasions ordered, bought and received U.S.-origin commodities from U.S. suppliers, and in one instance ordered U.S.-origin commodities from a Canadian supplier.

The Compliance Commissioner has considered the evidence which was submitted and has reported the facts. He has recommended that an order be issued

sued against the respondents denying them all U.S. export privileges for the duration of export controls. On consideration of the record in the case, I hereby adopt the Compliance Commissioner's findings of fact and his recommendation.

Findings of fact. 1. The respondent Emmerich Kuruc, who has given addresses in Vienna, Austria and Zurich, Switzerland, is a dealer in electronic products. He controls the firms Maireco Export-Import G.m.b.H. (sometimes called Maireco G.m.b.H.), Vienna, Austria, and Allround Establishment, Inc., which has addresses in Vaduz and Schaan, Liechtenstein. Both of these firms also deal in electronic products. Kuruc is manager of Maireco and is the managing director of Allround and he was responsible for the transactions hereinafter described as having been performed by said firms.

2. On June 10, 1960, the Office of Export Supply, Bureau of Foreign Commerce, predecessor of the Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, issued an order against the above-named respondents denying all U.S. export privileges for an indefinite period. This order was served on respondents and was published in the FEDERAL REGISTER on June 18, 1960 (25 F.R. 5546), and is still in effect.

3. Said order provided in part that the above-named respondents (the parties named in said order) were denied all privileges of participating, directly or indirectly, in any manner or capacity, in any exportation of any commodity from the United States to any foreign destination. More particularly said order, in part, prohibited the respondents from receiving, ordering, or buying commodities exported or to be exported from the United States.

4. Notwithstanding the denial order of June 10, 1960, the above-named respondents ordered, bought, and received U.S.-origin commodities from suppliers in the United States and ordered U.S.-origin commodities from suppliers in the United States and Canada, as more particularly described in Findings of Fact 5 through 11 herein.

5. In the period from January 9, 1964, to July 16, 1965, the respondents Kuruc and Allround ordered, bought, and re-

ceived from Werschlein & Becker, a U.S. supplier, several thousand electronic items which were exported to Kuruc or Allround in Austria. An order denying export privileges was entered on November 29, 1966, against Werschlein & Becker for their participation in these transactions. (See 31 F.R. 15245).

6. On four occasions, from January 29, 1964, through June 17, 1964, Maireco ordered, bought, and received from a U.S. supplier in Chicago, Ill., U.S.-origin transistors valued at approximately \$193, which were exported to Maireco at its address in Vienna, Austria.

7. Between April 22, 1964, and June 23, 1964, Maireco ordered, bought, and received from a U.S. supplier in New York diodes valued at \$90 which were exported to Maireco at its address in Vienna, Austria.

8. On six occasions between March 3, 1964, and May 27, 1964, Allround, showing a Vaduz address, ordered from the U.S. supplier in Chicago, referred to in Finding No. 6, transistors, diodes, and crystal sockets having a total value of approximately \$317. Pursuant to Allround's instructions on the orders the supplier shipped the commodities to Allround at an address in Austria.

9. On January 15, 1965, Maireco ordered from a U.S. supplier in California a U.S.-origin electronic tube valued at \$35 and transmitted funds to pay for the tube. The supplier having learned that Maireco was a denied party refused to fill the order and returned the payment.

10. On September 30, 1966, Allround ordered from a U.S. supplier in Massachusetts, diodes having a total value of \$200 and enclosed funds to pay therefor. The supplier refused to accept the order because Allround was a denied party and returned the payment.

11. On October 14, 1966, Allround ordered U.S.-origin transistors valued in excess of \$350 from a Canadian supplier. The Canadian supplier having learned that Allround was a denied party refused to fill the order and so notified Allround.

Based on the foregoing I have concluded that the respondents violated § 381.4 of the Export Regulations in that they ordered, bought, and received commodities exported or to be exported from the United States with knowledge that such conduct was in violation of an order issued under the Export Control Law.

After considering the record in the case and the recommendation of the Compliance Commissioner, and being of the opinion that his recommendation as to the sanction that should be imposed is calculated to achieve effective enforcement of the law: *It is hereby ordered,*

I. This order supersedes the order denying export privileges for an indefinite period which was entered against the above respondents on June 10, 1960 (25 F.R. 5546).

II. So long as export controls are in effect the respondents are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject

to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction either in the United States or abroad shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents but also to their agents, employees, representatives and partners, and to any other person, firm, corporation, or business or other organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with said respondents or other person denied export privileges within the scope of this order, or whereby such respondents or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondents or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

V. A copy of this order shall be served on respondents.

Dated: February 2, 1968.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 68-1827; Filed, Feb. 13, 1968;
8:48 a.m.]

Maritime Administration
FOUR C4 TROOPSHIPS
Notice of Allocation

In F.R. Doc. 67-13488 appearing in the FEDERAL REGISTER issue of November 17,

1967 (32 F.R. 15848), notice was given that pursuant to the Ship Exchange Act (section 510(i) of the Merchant Marine Act, 1936, as added by Public Law 86-575 and amended by Public Law 89-254, 46 U.S.C. 1160(i)), four C4 troopships, owned by the United States of America, represented by the Secretary of Commerce, acting by and through the Maritime Administrator, were available for tradeout to nonsubsidized American-flag steamship operators in exchange for their older and less efficient ships in accordance with the terms therein stated.

In response to the notice, five companies filed applications proposing conversions for a total of 11 troopships.

On the basis of a review of the applications received in relation to the criteria for assignments of the available troopships as stated in the notice, the four C4 troopships have been assigned by the Acting Maritime Administrator as follows:

Applicant	Name of ship	Fleet
Sea-Land Service, Inc.	General C. C. Ballou.	Beaumont.
Sea-Land Service, Inc.	General Stewart Heintzelman.	Beaumont.
Hudson Waterways Corp.	General W. C. Langfitt.	James River.
Chas. Kurz & Co., Inc.	General W. G. Haan.	Beaumont.

Conditions of assignment. The assignments of the above-mentioned ships are approved subject to the individual applicants agreeing to the following conditions:

(a) Each applicant must qualify for the ship exchanges in accordance with the provisions of the Ship Exchange Act, Public Law 86-575 and Public Law 89-254, and with the requirements of General Order 92 (27 F.R. 2011).

(b) Each applicant must accept the ship assignments within 10 days and enter into ship exchange contracts within 60 days after the receipt of notice of assignment. Each assignment is contingent upon the execution of a shipyard contract or commitment for the proposed conversion and the completion of financing both as approved by the Maritime Administration no later than the time of execution of the ship exchange contract; evidence of firm commitments and dates upon which the ships will be placed in the shipyards and dates upon which the actual conversion work is to commence in the shipyard; the posting with the Maritime Administration of a certified cash deposit of \$50,000 per ship. The deposit shall be applied as a credit to the applicant under the contract. Should the applicant fail to enter into a ship exchange contract within such 60-day period the said \$50,000 deposit per ship shall be retained by the Maritime Administration as liquidated damages. The allocations are also contingent upon the applicants meeting all other requirements for the exchange of ships.

(c) In the event the applicant fails to meet the aforesaid requirements the allocation will automatically be canceled and the ships will be immediately offered for trade-out to all unsubsidized opera-

tors by a notice of availability published in the FEDERAL REGISTER.

(d) The Maritime Administration, without obligations to the applicants, reserves the right to cancel, in whole or in part, any of the above assignments prior to the execution of an exchange contract, if it determines that it would be in the public interest to do so, or that the applicant is not proceeding promptly or in good faith to comply with the conditions of the assignments.

(e) Each ship exchange contract will contain provisions requiring that the applicant complete the conversion of the C4 ships substantially in accordance with plans approved by the Maritime Administration within 12 months after execution of the ship exchange contract, unless additional time is granted by the Maritime Administration for good cause. Each exchange contract will provide that in the event the applicant fails to complete the conversion within the time stipulated, there shall become due and payable liquidated damages in the sum of \$1,000 per day for failure to complete the conversion and should this default continue for a period of more than 60 days, the exchange contract will be subject to termination at the option of the Maritime Administration in which event title and possession of the C4 ships will be returned to the U.S. Government, without obligation to the applicant.

(f) The assignments of ships are conditioned upon the ships being taken for title by the applicant or a closely related company, and for the conversions to be financed without aid from a subsidized company or affiliate thereof.

Dated: February 8, 1968.

By order of the Acting Maritime Administrator.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 68-1874; Filed, Feb. 13, 1968;
8:50 a.m.]

**U.S. GOVERNMENT-SPONSORED
COMMODITIES**

Voyage Charter Rate Guidelines

In F.R. Doc. 67-15101 appearing in the FEDERAL REGISTER issue of December 27, 1967 (32 F.R. 20819), the voyage charter rate guidelines applicable to the carriage of Government-sponsored commodities moving in full shipload lots in privately owned U.S.-flag vessels were approved for a period expiring on February 14, 1968.

Notice is hereby given that the Acting Maritime Administrator has approved an extension of the period of applicability of the above-mentioned voyage charter rate guidelines from February 14, 1968, to and including March 20, 1968.

Dated: February 13, 1968.

By Order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-1930; Filed, Feb. 13, 1968;
10:25 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI68-417 etc.]

HUNT OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

FEBRUARY 6, 1968.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended

Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 27, 1968.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
RI68-417--	Hunt Oil Co., 1401 Elm St., Dallas, Tex. 75202.	265	1	El Paso Natural Gas Co., (Brown-Bassett Field, Crockett County, Tex.) (RR. District No. 7-C) (Permian Basin Area)	\$20,000	1-8-68	2-8-68	7-8-68	16.5	17.5	
RI68-418--	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102.	256	5	El Paso Natural Gas Co. (Big Lake Area, Reagan County, Tex.) (RR. District No. 7-C) (Permian Basin Area)	12,025	1-8-68	2-8-68	7-8-68	14.5	18.0	
RI68-419--	MWJ Producing Co. (Agent), 413 First National Bank Bldg., Midland, Tex. 79701.	9	2	El Paso Natural Gas Co. (acreage in Reagan County, Tex.) (RR. District No. 7-C) (Permian Basin Area)	898	1-11-68	2-11-68	7-11-68	14.5	18.243	
RI68-420--	MWJ Producing Co. (Operator) Agent.	7	4	do.	271	1-11-68	2-11-68	7-11-68	14.5	18.243	
RI68-421--	Humble Oil & Refining Co. (Operator) et al., Post Office Box 2180, Houston, Tex. 77001, Attn: Messrs. John J. Caster and Martin N. Erck.	132	7	West Texas Gathering Co. (Emporer Field, Winkler County, Tex.) (RR. District No. 8).	65,008	1-12-68	2-12-68	7-12-68	18.0 17.0	18.0	RI68-238.
RI68-422--	do.	358	15	El Paso Natural Gas Co. (Spraberry Field, Upton County, Tex.) (RR. District No. 7-C).	67	1-12-68	2-12-68	7-12-68	12.1152	18.1728	
RI68-423--	The Superior Oil Co., 909 RCA Bldg., 1725 K St. NW., Washington, D.C. 20006, Attn: W. T. Kilbourne, II, Esq.	119	2	El Paso Natural Gas Co. (Three Bar Field, Andrews County, Tex.) (RR. District No. 8).	6,013	1-12-68	2-12-68	7-12-68	15.19	18.0	

¹ Sale certificated by temporary certificate issued Nov. 3, 1967, in Docket No. CI68-228.

² The stated effective date is the first day after expiration of the statutory notice.

³ Periodic rate increase.

⁴ Pressure base is 14.65 p.s.i.a.

⁵ Subject to 6.551-cent reduction for B.t.u. content below 975 B.t.u.'s per cubic foot as provided by contract. Notice of change in rate shows 610 B.t.u. gas, giving net rate of 10.949 cents.

⁶ Initial rate in the contract is 16.5 cents per Mcf, less 6.176 cents per Mcf B.t.u. price adjustment for B.t.u. content below 975.

⁷ Initial rate established by quality statement filed in response to temporary certificate order issued in Docket No. CI66-19.

⁸ Initial rate provided in quality statement previously accepted by the Commission.

⁹ Initial rate provided in quality statement previously accepted by the Commission.

¹⁰ Initial rate applicable to acreage added by Supplement No. 3.

¹¹ Applicable to acreage dedicated to original contract.

¹² Rate effective subject to refund in Docket No. RI67-15.

¹³ Tax reimbursement increase.

¹⁴ Renegotiated rate increase.

¹⁵ Includes 0.1728 cent per Mcf tax reimbursement.

¹⁶ Initial rate.

¹⁷ Includes 0.1152 cent per Mcf tax reimbursement.

¹⁸ Filing includes amendatory agreement dated Dec. 26, 1967, and signed by buyer, which provides for increased rate.

¹⁹ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²⁰ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²¹ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²² Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²³ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²⁴ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²⁵ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²⁶ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²⁷ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²⁸ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

²⁹ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

³⁰ Increase from initial rate under temporary certificate to contract rate of 18 cents, contractually due Jan. 1, 1968.

to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

The contract related to the increase filed by Hunt covers a sale of high CO₂ gas and provides for a downward B.t.u. price adjustment from a base of 975 B.t.u. for gas containing less than 975 B.t.u.'s. The current contractual rate is 16.5 cents per Mcf less 6.176 cents per Mcf B.t.u. adjustment for 610 B.t.u. gas. The proposed increased rate is 17.5 cents per Mcf, less 6.551 cents per Mcf B.t.u. price adjustment, for a net rate of 10.949 cents per Mcf. A quality statement has not been filed for the subject sale because deliveries have not commenced. Based on

610 B.t.u. gas, the applicable area ceiling rate is 10.065 cents per Mcf and if there are further quality deficiencies shown on the quality statement, the ceiling rate will be even less than 10.065 cents per Mcf. In this situation, we believe Hunt's proposed rate increase should be suspended for 5 months from February 8, 1968, the expiration date of the statutory notice.

MWJ Producing Co. (Operator), Agent's (MWJ) proposed rate increase of 18.243 cents per Mcf involves a sale from acreage dedicated to the original contract at a rate of 18 cents being collected subject to refund and a sale from additional acreage at an initial rate of 14.5 cents per Mcf. MWJ is filing for tax reim-

¹ Does not consolidate for hearing or dispose of the several matters herein.

bursement for the original acreage and up to the contract rate of 18.243 cents for the additional acreage. A quality statement has not been filed for the additional acreage but the quality statement filed for the original acreage shown an applicable area ceiling rate of 14.5 cents per Mcf.

All of the increased rates proposed herein are in excess of the applicable just and reasonable area rates for these sales of natural gas in the Permian Basin Area as determined in Opinion No. 468, as amended.

[F.R. Doc. 68-1731; Filed, Feb. 13, 1968; 8:45 a.m.]

[Docket Nos. RI68-429 etc.]

SUNRAY DX OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

FEBRUARY 6, 1968.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

¹ Does not consolidate for hearing or dispose of the several matters herein.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall

each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before April 1, 1968.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-429...	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102, Attn: Homer E. McEwen, Jr. Esq. do	218	3	Cities Service Gas Co. (Hugoton Field, Finney County, Kans.).	\$36	1-15-68	2-15-68	2-16-68	7 ² 12.0	6 ⁷ 12.5	
		220	3	Cities Service Gas Co. (Hugoton Field, Finney, and Kearny Counties, Kans.).	(⁹)	1-15-68	2-15-68	2-16-68	7 ² 12.0	6 ⁷ 13.0	
RI68-430...	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	77	2	Panhandle Eastern Pipe Line Co. (Guymon-Hugoton Field, Texas County, Okla.) (Panhandle Area).	160	1- 8-68	2-28-68	2-29-68	11.0	6 ¹⁰ 11 12.01	

² Basic contract dated after Sept. 28, 1960, the date of issuance of General Policy Statement No. 61-1.

³ The stated effective date is the effective date requested by Respondent.

⁴ The suspension period is limited to 1 day.

⁵ Renegotiated rate increase.

⁶ Pressure base is 14.65 p.s.i.a.

⁷ Subject to a downward B.t.u. adjustment.

⁸ Settlement rate pursuant to Commission order issued Jan. 29, 1965, approving Sunray's offer of settlement in Docket Nos. G-6822 et al. Filing moratorium expired Jan. 1, 1968.

⁹ Seller states there is no production at present time.

¹⁰ Periodic rate increase.

¹¹ Includes 0.01-cent tax reimbursement.

[F.R. Doc. 68-1732; Filed, Feb. 13, 1968; 8:45 a.m.]

[Docket Nos. G-3139 etc.]

UNION OIL COMPANY OF CALIFORNIA ET AL.

Findings and Order After Statutory Hearing

FEBRUARY 6, 1968.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, severing proceedings, terminating rate proceedings, substituting respondent, making successor correspondent, redesignating proceedings, requiring filing of agreements and undertakings, accepting trust agreement for filing, and

accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate com-

merce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sales from the Permian Basin area of Texas are authorized to be made at the applicable area base rates and under the conditions prescribed in Opinion Nos. 468 and 468-A.

Signal Oil and Gas Co. (Operator), Applicant in Docket Nos. CI62-98 and CI63-394, proposes to continue the sales of natural gas heretofore authorized in said dockets to be made pursuant to Twin Gas Co. FPC Gas Rate Schedule No. 1

and Twin Gas Co. (Operator) FPC Gas Rate Schedule No. 2, respectively. Said rate schedules will be redesignated as those of Signal. On May 27, 1963, Twin filed notices of changes in rate with respect to its FPC Gas Rate Schedule Nos. 1 and 2, and by order issued June 20, 1963, in Docket No. RI63-456, et al., the proposed increases were suspended in Docket Nos. RI63-464 and RI63-465, respectively, until December 1, 1963, and thereafter until made effective. Proposed increases under Twin's FPC Gas Rate Schedule Nos. 3 and 4 were also suspended in Docket No. RI63-465. Pursuant to motions filed by Twin on November 26, 1963, a notice was issued on December 16, 1963, in Docket No. RI61-184 et al., making the suspended increased rates under FPC Gas Rate Schedule Nos. 1 through 4 effective December 1, 1963, and requiring the filing within 30 days of said notice, of surety bonds to assure the refunds of any amounts collected by Twin in excess of the amounts determined to be just and reasonable in Docket Nos. RI63-464 and RI63-465. On December 21, 1967, Twin submitted for filing a trust agreement providing for the establishment of a trust fund to assure the refund of excess charges, in lieu of the previously required surety bond. The trust agreement appears to be satisfactory and will be accepted for filing and Twin will be allowed to collect the rate increases under its FPC Gas Rate Schedule Nos. 3 and 4 effective as of December 21, 1967. Inasmuch as the notices of succession to Twin's FPC Gas Rate Schedule Nos. 1 and 2 submitted by Signal are being accepted for filing effective as of June 27, 1967, Signal will be substituted as respondent in the proceeding pending in Docket No. RI63-464 and will be made a co-respondent in the proceeding pending in Docket No. RI63-465. The proceedings will be redesignated accordingly, and Signal will be required to file agreements and undertakings to assure the refunds of any amounts collected by it effective as of June 27, 1967, in excess of the amounts determined to be just and reasonable in said proceedings.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on February 1, 1968, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be en-

gaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments, and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in the following dockets should be amended as hereinafter ordered and conditioned:

G-3139	G-16979	CI64-1113
G-4881	G-17024	CI64-1115
G-5390	CI60-452	CI64-1170
G-8177	CI60-549	CI64-1381
G-11174	CI61-903	CI65-1300
G-12908	CI62-98	CI66-1201
G-12972	CI62-1180	CI66-1310
G-13543	CI63-394	CI67-344
G-16146	CI63-1162	CI67-1180
G-16753	CI63-1165	CI67-1467
G-16878	CI64-328	

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments hereinafter permitted and approved should be terminated.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket Nos. RI61-300 and RI65-101 should be severed from the consolidated proceeding on the order to

show cause issued August 5, 1965, in Docket No. AR61-1 et al., and that the rate suspension proceedings pending in Docket Nos. RI61-300 and RI65-101 should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Signal Oil and Gas Co. (Operator) should be substituted as respondent in the proceeding pending in Docket No. RI63-464 and made co-respondent in the proceeding pending in Docket No. RI63-465, that said proceedings should be redesignated accordingly, and that Signal should be required to file agreements and undertakings in said proceedings.

(10) The trust agreement submitted by Twin Gas Co. (Operator) in Docket No. RI63-465 is satisfactory and should be accepted for filing as hereinafter ordered.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions

pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) (3) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable date as indicated by footnote 1 in the attached tabulation.

(E) The initial rates for sales authorized in Docket Nos. CI67-1750, CI68-543, and CI68-600 shall be the applicable base area rates prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality, or the contract rates, whichever are lower.

(F) If the quality of the gas delivered by Applicants in Docket Nos. CI67-1750, CI68-543, and CI68-600 deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to the provisions of section 4 of the Natural Gas Act: *Provided, however, That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of notices of changes in rate.*

(G) Within 90 days from the date of initial delivery, Applicants in Docket Nos. CI67-1750 and CI68-543 shall file rate schedule quality statements in the form prescribed in Opinion No. 468-A. Applicant in Docket No. CI68-600 shall file a rate schedule quality statement within 90 days from the date of this order.

(H) The grant of the certificate issued herein in Docket No. CI68-519 shall not be construed as Commission's approval of advance payment provisions in producer gas sales contracts and is without prejudice to any future action the Commission may take with respect to advance payment provisions in producer gas sales contracts.

(I) The initial rate for the sale authorized in Docket No. CI68-550 shall be 11 cents per Mcf at 14.65 p.s.i.a.

(J) The initial rate for the sale authorized in Docket No. CI68-625 shall be 17 cents per Mcf at 14.65 p.s.i.a., subject to B.t.u. adjustment as provided for in the contract.

(K) The initial rate for the sale authorized in Docket No. CI68-709 shall be 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, plus B.t.u. adjustment; however, in the event that the Commission amends its Policy Statement No. 61-1, by adjusting the boundary between the Panhandle area and the Oklahoma "Other" area so as to increase the initial wellhead price for new gas in the area involved herein, Applicant thereupon may substitute the new rate reflecting the amount of such increase,

and thereafter collect such new rate prospectively in lieu of the initial rate herein required.

(L) A certificate is issued herein in Docket No. CI68-722 authorizing Applicant to continue the sale of natural gas being rendered on June 7, 1954, by the predecessor.

(M) A certificate is issued herein in Docket No. CI68-600 authorizing Applicant to continue a portion of the service heretofore authorized in the small producer certificate in Docket No. CS67-46.

(N) The certificates heretofore issued in Docket Nos. G-3139, G-4881, G-13543, G-16146, CI61-903, CI62-1180, CI63-1162, CI64-1113, CI64-1115, CI64-1170, CI66-1310, and CI67-344 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations pursuant to the rate schedule supplements as indicated in the tabulation herein.

(O) The certificate heretofore issued in Docket No. CI67-1467 is amended by adding thereto authorization to sell natural gas from the additional acreage at the rate of 14.5 cents per Mcf at 14.65 p.s.i.a., subject to B.t.u. adjustment as provided for in the contract.

(P) The certificates heretofore issued in Docket Nos. G-11174, G-12908, G-12972, G-16753, G-16878, and G-16979 are amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI68-661.

(Q) The certificate heretofore issued in Docket No. G-17024 is amended to reflect the change in status of Brookhaven Oil Co. from nonsignatory coowner to signatory coowner. The rate applicable to the interest of Brookhaven shall be 13.24856 cents per Mcf at 15.025 p.s.i.a. subject to refund in Docket No. RI63-452.

(R) The certificate heretofore issued in Docket No. CI64-1381 is amended by authorizing Ashland Oil & Refining Co. to continue the sale of natural gas previously covered by the certificate issued to Calvert Exploration Co. (Operator) et al., in Docket No. CI63-1165.

(S) The certificate heretofore issued in Docket No. CI63-1165 is amended by deleting therefrom the interest of Ashland Oil & Refining Co.

(T) The certificates heretofore issued in Docket Nos. G-5390, G-8177, CI60-452, CI60-549, CI62-98, CI63-394, CI64-328, CI65-1300, CI66-1201, and CI67-1180 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(U) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein are granted.

(V) The certificates heretofore issued in Docket Nos. G-5736, G-11923, G-20459, CI60-422, CI67-139, CI67-226, and CI67-327 are terminated.

(W) Docket Nos. RI61-300 and RI65-101 are severed from the consolidated proceeding on the order to show cause issued August 5, 1965, in Docket No. AR61-1, et al., and the rate suspension proceedings pending in Docket Nos. RI61-300 and RI65-101 are terminated.

(X) Signal Oil and Gas Co. (Operator) is substituted as respondent in the proceeding pending in Docket No. RI63-464 and made co-respondent in the proceeding pending in Docket No. RI63-465, and said proceedings are redesignated accordingly.¹

(Y) Within 30 days from the issuance of this order Signal Oil and Gas Co. (Operator) shall execute, in the form set out below, and shall file with the Secretary of the Commission acceptable agreements and undertakings in Docket Nos. RI63-464 and RI63-465 to assure the refunds of any amounts collected by it effective as of June 27, 1967, together with interest at the rate of 7 percent per annum, in excess of the amounts determined to be just and reasonable in said proceedings. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreements and undertakings shall be deemed to have been accepted for filing.

(Z) Signal Oil and Gas Co. (Operator) shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreements and undertakings filed by it in Docket Nos. RI63-464 and RI63-465 shall remain in full force and effect until discharged by the Commission.

(AA) The trust agreement submitted by Twin Gas Co. (Operator) in Docket No. RI63-465 is accepted for filing, in lieu of a surety bond required by the notice of December 16, 1963, as amended by the notice of January 22, 1964, to assure the refunds of any amounts collected by Twin effective as of December 21, 1967, under its FPC Gas Rate Schedule Nos. 3 and 4 in excess of the amount determined to be just and reasonable in said proceeding. The trust agreement shall remain in full force and effect until discharged by the Commission.

(BB) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further the rate schedules relating to the successions herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

¹ Docket No. RI63-464, Signal Oil and Gas Co. (Operator); Docket No. RI63-465, Twin Gas Co. (Operator), and Signal Oil and Gas Co. (Operator).

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to
D—Amendment to
E—Succession.
F—Partial success

FPC rate schedule to be accepted			Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		No.	Supp.	
Description and date of document	No.	Description and date of document				No.				
C167-1180 E 11-29-67	Chief Drilling, Inc., et al. (successor to Hanlon Oil Co.).	Consolidated Gas Supply Corp., Union and Grant Districts, Ritchie County, W. Va.	Hanlon Oil Co., FPC GRS No. 8. Notice of succession 11-1-67. Assignment 9-1-67. Effective date: 9-1-67. Assignment 9-20-67. Effective date: 9-20-67. Correction of assignment 11-1-67. Effective date: 11-1-67. Assignment 11-2-67. Effective date: 11-2-67. Amendment 8-30-67.	5 5 5 5 5 5 30 7	C168-665 A 11-13-67 ¹	George Mitchell & Associates, Inc., et al.	Arkansas Louisiana Gas Co., Kinta Field, Sequoyah County, Okla.	Contract 2-7-67. ¹⁷ Contract 8-12-66. Letter agreement 6-7-67. ¹⁸	31 31 31	1 2
C167-1467 C 11-9-67	Longhorn Production Co. (Operator), et al.	Natural Gas Pipeline Co. of America, acreage in Wise County, Tex.	Assignment 9-1-67. Effective date: 9-1-67. Assignment 9-20-67. Effective date: 9-20-67. Correction of assignment 11-1-67. Effective date: 11-1-67. Assignment 11-2-67. Effective date: 11-2-67. Amendment 8-30-67.	1 2 3 4 5 5 30 7	C168-672 A 11-15-67 ¹	Sinclair Oil & Gas Co.	El Paso Natural Gas Co., Piceance Creek Field, Rio Blanco County, Colo.	Contract 10-4-67. ¹⁹	387	
C167-4760 A 6-9-67	Pan American Petroleum Corp. ²	Co., West Rojo Caballos Field, Pecos County, Tex.	Assignment 9-1-67. Effective date: 9-1-67. Assignment 9-20-67. Effective date: 9-20-67. Correction of assignment 11-1-67. Effective date: 11-1-67. Assignment 11-2-67. Effective date: 11-2-67. Amendment 8-30-67.	5 5 5 5 5 5 30 7	C168-673 A 11-16-67 ¹	An-Son Corp. (Operator) et al.	Arkansas Louisiana Gas Co., Kinta Field, LeFlore County, Okla.	Contract 8-28-67. ²⁰	35	
C168-512 A 10-2-67 ¹	George E. Willett.	El Paso Natural Gas Co., Pinon-Fruitland Field, San Juan County, N. Mex.	Assignment 9-1-67. Effective date: 9-1-67. Assignment 9-20-67. Effective date: 9-20-67. Correction of assignment 11-1-67. Effective date: 11-1-67. Assignment 11-2-67. Effective date: 11-2-67. Amendment 8-30-67.	5 5 5 5 5 5 30 7	C168-689 A 11-20-67 ¹	Lone Star Producing Co. (Operator) et al.	Texas Eastern Transmission Corp., Whelan Field, Harrison County, Tex.	Contract 7-14-67. ²¹	84	
C168-519 A 10-5-67 ¹	Mesa Petroleum Co. (Operator) et al.	Michigan Wisconsin Pipeline Line Co., South Levee Field, Harper County, Okla.	Contract 5-3-67. ²²	496	C168-699 (G-11923) B 11-27-67	See & Warner Gas Co.	Consolidated Gas Supply Corp., Collins Settlement District, Lewis County, W. Va.	Notice of cancellation 11-24-67. ²³	1	1
C168-543 A 10-16-67	Tom Brown Drilling Co., Inc. (Operator) et al. ³¹	Northern Natural Gas Co., Ozona Northeast Field, Crockett County, Tex.	Contract 8-10-67. ²⁴	2	C168-700 (C167-226) B 11-27-67	A. S. Alexander et al., d.b.a. Brinkley Gas Co.	Consolidated Gas Supply Corp., Glenville and Courthouse Districts, Lewis and Gilmer Counties, W. Va.	Notice of cancellation 11-24-67. ²⁵	1	2
C168-550 A 10-12-67 ¹	Carl A. Nilsen.	Okla. Natural Gas Gathering Corp., ³² acreage in Major County, Okla.	Contract 9-15-67. ²⁶	33	C168-704 A 11-29-67 ¹	Russell V. Johnson, Jr. (Operator) et al.	Natural Gas Pipeline Co. of America, Erick Area, Beckham County, Okla.	Contract 10-16-67. ²⁷	3	
C168-600 (C167-46) F 10-23-67	MWJ Producing Co. (Operator), agent (successor to L & N Production Co.). Mesa Petroleum Co. (Operator) et al.	El Paso Natural Gas Co., Spraberry Trend Area, Reagan County, Tex.	Contract 9-11-67. Compliance (undated). ³⁴	2 2	C168-709 A 11-30-67 ¹	Woods Petroleum Corp.	Michigan Wisconsin Pipeline Line Co., Woodward Area, Major County, Okla.	Contract 9-27-67. ²⁸	18	
C168-625 A 11-6-67 ¹	Gulf Oil Corp.	Mesquite Gas Products, Inc., Davis Field, Union County, Tex.	Contract 1-6-67. ³⁵ Assignment 9-27-67. ³⁶ Assignment 10-10-67. ³⁷ Effective date: 9-5-67. Contract 9-12-67. ³⁸	14 14 14 32	C168-711 (C167-139) B 11-30-67 C168-712 (C167-327) B 11-30-67 C168-713 (G-6736) B 12-1-67	Quaker State Oil Refining Corp. et al. Sawyer and Fitzgerald.	United Fuel Gas Co., Jefferson District, Lincoln County, W. Va. do	Notice of cancellation 11-27-67. ³⁰ Notice of cancellation 11-28-67. ³⁰	19 20	1 1
C168-639 (C160-422) B 11-14-67	Morgan Petroleum Co., (Operator) et al. (successor to Sun Oil Co.).	Michigan Wisconsin Pipeline Line Co., Northeast Selling Field, Woodward County, Okla.	Notice of cancellation 11-13-67. ³⁹	3	C168-714 A 12-1-67 ¹	Lendol Rogers, et al., d.b.a. Seull-Rogers.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	Contract 10-12-67. ⁴⁰	5	
C168-661 (G-12972) F 11-9-67	Morgan Petroleum Co., (Operator) et al. (successor to Sun Oil Co.).	Mesquite Gas Products, Inc., Davis Field, Union County, Tex.	Contract 3-9-57. ⁴⁰ Assignment 9-25-67. ⁴¹	1 1	C168-715 (G-20459) B 12-1-67	Stonestreet Lands Co. et al.	Consolidated Gas Supply Corp., Burning Springs District, Wirt County, W. Va.	Notice of cancellation 11-29-67. ⁴²	4	1
C168-679 (G-16979)	Morgan Petroleum Co., (Operator) et al. (successor to Radcliffe Killam).	Michigan Wisconsin Pipeline Line Co., Laverne Field, Harper County, Okla.	Contract 8-11-58. ⁴¹ Assignment 9-25-67. ⁴²	2 2	C168-717 A 12-4-67 ¹	Wagoner Properties.	Arkansas Louisiana Gas Co., acreage in Latimer County, Okla.	Ratified 11-9-67. Contract 3-30-64. ⁴³	1 1	1
C168-683 (G-16878)	Morgan Petroleum Co., (Operator) et al. (successor to The Superior Oil Co.).	Michigan Wisconsin Pipeline Line Co., Laverne Field, Harper County, Okla.	Contract 9-29-58. ⁴² Assignment 9-25-67. ⁴³	3 3	C168-719 A 12-4-67 ¹	W. C. McBride, Inc. (Operator), et al.	Colorado Interstate Gas Co., Vitas Field Area, Baca County, Colo.	Contract 10-6-67. ⁴⁴	28	
C168-685 (G-16753)	Morgan Petroleum Co., (Operator) et al. (successor to Union Oil Co. of California).	Michigan Wisconsin Pipeline Line Co., Laverne Field, Harper County, Okla.	Contract 9-8-58. ⁴³ Assignment 9-25-67. ⁴⁴	4 4	C168-720 A 12-5-67 ¹	Francis Cain.	Calor Corp., Sheridan District, Calhoun County, W. Va.	Contract 11-8-67. ⁴⁵	32	
C168-687 (G-12908)	Morgan Petroleum Co., (Operator) et al. (successor to Union Oil Co. of California).	Michigan Wisconsin Pipeline Line Co., Laverne Field, Harper County, Okla.	Contract 3-9-57. ⁴⁴ Assignment 9-25-67. ⁴⁵	5 5	C168-721 A 12-6-67 ¹	Petroleum, Inc.	Northern Natural Gas Co., acreage in Beaver County, Okla.	Contract 9-28-67. ⁴⁶	47	
C168-689 (G-11174) 12-4-67 ⁴⁶	Morgan Petroleum Co., (Operator) et al. (successor to Gulf Oil Corp.).	Michigan Wisconsin Pipeline Line Co., Laverne Field, Harper County, Okla.	Contract 3-3-56. ⁴⁶ Assignment 9-25-67. ⁴⁷	6 6	C168-722 A 11-27-67 ⁴⁸	Hays & Co., agent for Ferrell L. Prior d.b.a. Prior Oil Company.	Pennzoil Co., Union District, Harrison County, W. Va.	Contract 1-31-31. ⁴⁴ Amendatory agreement 1-12-46. ⁴⁹ Assignment 4-2-63. ⁴⁸ Effective date: 4-2-63.	306 306 306	1 2

¹ Jan. 1, 1970, moratorium pursuant to the Commission's Statement of General Policy No. 61-1, as amended.

² Cancels the agreements of June 12, 1953 and July 9, 1957, which covered sales from the Elliott No. 1-H and Florence No. 2 fields, respectively, but had not been previously filed by Union predecessor, Texas National Petroleum Corp.

¹ Jan. 1, 1970, memorandum pursuant to the Commission's Statement of General Policy No. 61-1, as amended.
² Cancels the agreements of June 12, 1963 and July 9, 1967, which covered sales from the Elliott No. 1-H and Florence No. 11 Gas Units, respectively, but had not been previously filed by Union's predecessor, Texas National Petroleum Co., and adds the dedicated acreage to the Aug. 21, 1956 contract.

See footnotes at end of table.

- * Effective date: Date of this order.
 * Amendment for the sale of residue gas after processing the gas production.
 * Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).
 * From Hanlon Oil Co. to Charles E. Reed.
 * From Charles E. Reed to Chief Drilling, Inc. et al.
 * Assigns a portion of Chief's interest to Chester Hilinski.
 * Corrects assignment dated Sept. 1, 1967, and includes other "et al." parties.
 * From one "et al." party, Hi-Lo Investment Co., to another, The Mackenzie Products Co.
 * From Gawthrop Oil & Gas Producers, Inc., to Clarence M. Rogers.
 * From Clarence M. Rogers to Mark IV Oil & Gas Producers, Inc.
 * Source of gas depleted.
 * Application to amend certificate to reflect change in signatory status of coowner, Brookhaven Oil Co. Brookhaven was previously covered by Phillips as nonsignatory coowner.
 * Between Brookhaven Oil Co. and El Paso Natural Gas Co. Adopts and ratifies the terms and provisions of the Phillips-El Paso casinghead gas contract dated Oct. 22, 1968 to cover Brookhaven's interest in the Hospah Unit operated by Phillips.
 * From Signet Operating and Exploration Co. to Kenneth R. Golden (includes assignments from Signet to others).
 * From Kenneth R. Golden to Occidental Petroleum Corp. (includes assignments from others to Occidental).
 * From Signet Operating and Exploration Co. to Occidental Petroleum Corp.
 * From Occidental to Arthur M. Guida, Oliver Gould, and Alvin V. Graff. (Coowners who acquired an interest in the acreage from Signet (either directly or indirectly) are covered by the operator and the assignments are made a part of the "Interest Statement" portion of the proposed rate schedule.)
 * Transfers acreage from G. M. McGarr, Graydon Trussler, J. F. Postelle, and George O. McGown, Jr., to Manco Corp.
 * Letter attached dated Oct. 26, 1967, from Mobil to Arkla canceling certain nonproductive leases.
 * Deletes nonproductive acreage assigned to Champlin Petroleum Co., Union Oil Company of California and Husky Oil Co.
 * Also provides for deletion of certain nonproductive acreage.
 * Filing covers sale previously authorized under the operator's filing in Docket No. CI63-1165.
 * The subject acreage is dedicated under an agreement dated Dec. 13, 1962, by which Ashland ratified a Calvert Exploration Co.-Arkansas Louisiana Gas Co. contract dated Oct. 15, 1962. Such ratification agreement was initially filed on behalf of Ashland by Calvert as operator of the properties on July 26, 1963, as Supp. No. 11 to its FPC GRS No. 3. Subsequently, on May 15, 1964, Ashland filed the agreement as its FPC GRS No. 162.
 * Undivided 1/4 interest of Chief Drilling, Inc., to Chester Hilinski.
 * Corrects error in assignment dated Sept. 1, 1967 (Supp. No. 2).
 * Deletes acreage assigned to Apache Corp. Apache has filed to cover the subject acreage in Docket No. CI67-676.
 * Dedicates interest of Everett L. Richards, et ux to Cabot's contract.
 * Contract provides for 15-cent rate, but Applicant has stated willingness to accept authorization at 14.5 cents plus B.t.u. adjustment.
 * By letters filed Sept. 11, 1967 and Nov. 17, 1967, Applicants in Docket Nos. CI67-1750 and CI68-543, respectively, agreed to accept permanent certificates conditioned as Opinion No. 468.
 * Contract covers all rights from the surface of the ground to the base of the Hoover Formation only. (Buyer has advised by letter dated Nov. 20, 1967, that no payments are anticipated to be made under advance payment provision of contract.)
 * National Fuels Corp. purchases liquids extracted from Applicant's gas at the Ringwood Gasoline Plant.
 * Complies with temporary certificate issued Nov. 9, 1967.
 * Between El Paso Natural Gas Co. and L & N Production Co. et al. Not previously filed as a rate schedule because L & N was issued a small producer certificate in Docket No. CS67-46.
 * Assigns portion of acreage to Martin, Williams & Judson.
 * Assigns portion of the subject acreage from Martin, Williams & Judson to John L. Schagal et al. MWJ owns no interest in the sale, only acts as operator for owners.
 * Contract provides for an initial base rate of 19.5 cents; however, Applicant has agreed to accept a permanent certificate at 17 cents per Mcf plus B.t.u. adjustment (letter filed Dec. 4, 1967).
 * 13-cent rate effective subject to refund in Docket No. RI65-101 as of Jan. 1, 1965. Prior increase to 12 cents also effective subject to refund in Docket No. RI61-300 as of June 1, 1961. Deliveries ceased in June of 1961 and Gulf states that the suspended rates were never collected (last rate collected was 7 cents per Mcf); therefore, the rate suspension proceedings pending in Docket Nos. RI61-300 and RI65-101 will be severed from the consolidated proceeding in Docket No. AR61-1 et al., and terminated.
 * Currently on file as Sun Oil Co. FPC GRS No. 86.
 * Currently on file as Radcliffe Killam FPC GRS No. 2.
 * Currently on file as The Superior Oil Co. (Operator) et al., FPC GRS No. 80.
 * Currently on file as Yingling Oil, Inc., FPC GRS No. 1.
 * Currently on file as Union Oil Co. of California FPC GRS No. 18.
 * By letter filed Dec. 4, 1967, Applicant advised willingness to accept authorization at 15 cents plus upward and downward B.t.u. adjustment.
 * Currently on file as Gulf Oil Corp. FPC GRS No. 98.
 * Adopts terms of Aug. 12, 1966 contract between buyer and Continental.
 * On file as Continental Oil Co. (Operator) et al., FPC GRS No. 319.
 * Provides for the sale of gas available in excess of the quantity dedicated to the contract comprising Sinclair's FPC GRS No. 302 which was authorized in Docket No. G-10228.
 * Production of gas no longer economically feasible.
 * Contract provides for 19.5-cent rate; however, Applicant has stated willingness to accept a permanent certificate at 15-cent base rate plus B.t.u. adjustment (similar to the Commission's order issued Mar. 30, 1964, in Docket Nos. G-19417 et al., Pan American Petroleum Corp. et al.).
 * Also on file as Steve Gose et al., FPC GRS No. 1.
 * Sale being rendered on June 7, 1954, by predecessor (no certificate or rate filings were made by predecessor).
 * Between W. Frank Stout, Trustee, et al. as seller and South Penn Oil Co., as buyer.
 * Changes seller's agent.
 * From Helen Johnson to Ferrell L. Prior.

Suggested agreement and undertaking:

BEFORE THE FEDERAL POWER COMMISSION

(Name of Respondent _____)

Docket No. _____

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. _____ (and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which

is appended hereto¹) this _____ day of _____, 196____.

(Name of Respondent)

By _____

Attest:

[F.R. Doc. 68-1733; Filed, Feb. 13, 1968; 8:45 a.m.]

[Docket No. CS68-41]

FRANK W. CASS

Notice of Application for "Small Producer" Certificate

FEBRUARY 7, 1968.

Take notice that on January 22, 1968, Frank W. Cass, 904 Reliance Life Build-

¹ If a corporation.

ing, Dallas, Tex. 75201, filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 29, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission providing no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1784; Filed, Feb. 13, 1968; 8:45 a.m.]

[Docket No. CP68-218]

CENTRAL ILLINOIS PUBLIC SERVICE CO. AND TRUNKLINE GAS CO.

Notice of Application

FEBRUARY 7, 1968.

Take notice that on February 2, 1968, Central Illinois Public Service Co. (Applicant), 607 East Adams Street, Springfield, Ill. 60701, filed in Docket No. CP68-218 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Trunkline Gas Co. (Respondent) to establish physical connection of its transmission facilities with the facilities to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in five communities and their environs in Illinois, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant requests the Commission to order Respondent to construct and operate a line tap and metering and regulating station at or on

Respondent's transmission line at a point approximately 1 mile east of Vienna, in Johnson County, Ill., and to order Respondent to sell and deliver to Applicant volumes of natural gas for resale and distribution by Applicant in the city of Golconda, Pope County, Ill., the city of Rosiclare and villages of Elizabethtown and Cave In Rock, Hardin County, Ill., and the unincorporated community of Grantsburg, Johnson County, Ill., and their respective environs. The application states that presently there are no natural gas facilities in the aforementioned communities.

The estimated third year peak day and annual natural gas requirements for the service to the proposed communities are 3,980 Mcf and 551,873 Mcf, respectively.

The total estimated cost of Applicant's proposed system is \$1,250,320, which cost will be financed from internal funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 7, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1785; Filed, Feb. 13, 1968;
8:45 a.m.]

[Docket No. CP68-216]

CITIES SERVICE GAS CO.

Notice of Application

FEBRUARY 7, 1968.

Take notice that on January 31, 1968, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP68-216 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas transmission facilities and for the sale of natural gas in interstate commerce for resale, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate pipelines, measuring, regulating, and appurtenant facilities. Applicant also proposes the sale of natural gas for resale which will provide initial natural gas service to 10 communities in Kansas and Missouri; provide for the continuation of natural gas service to consumers in the city of McLouth, Kans.; and provide a continued supply of natural gas for irrigation and incidental purposes in and about Texas County, Okla.

The application states that the facilities proposed are those which the lateral line policy contained in Applicant's FPC gas tariff will permit Applicant to construct and operate. The application further states that where additional facilities are necessary, they will be constructed and operated by the distributor.

The total estimated cost of Applicant's

proposed construction is \$154,960, which cost will be paid from treasury cash.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 4, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1786; Filed, Feb. 13, 1968;
8:45 a.m.]

NATURAL GAS ADVISORY COUNCIL

Determination of Continuation

FEBRUARY 7, 1968.

Pursuant to paragraph 9 of the Commission's order establishing the Natural Gas Advisory Council, issued February 8, 1962 (27 FPC 337) and section 8 of Executive Order 11007, issued February 26, 1962 (27 F.R. 1875, 3 CFR, 1959-63 Comp., p. 573), the Commission hereby determines that the continued existence of the Natural Gas Advisory Council for an additional period of 2 years is in the public interest.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1787; Filed, Feb. 13, 1968;
8:45 a.m.]

[Docket No. G-4141 etc.]

GULF OIL CORP. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates; Correction

FEBRUARY 7, 1968.

In notice of applications for certificates, abandonment of service and petitions to amend certificates, issued January 25, 1968, and published in the FEDERAL REGISTER, February 2, 1968 (F.R. Doc. 68-1203), 33 F.R. 2545, Docket Nos.

G-4141 et al., Delete Docket No. G-13633 and Footnote No. 5.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1788; Filed, Feb. 13, 1968;
8:45 a.m.]

[Docket No. CP68-219]

MISSOURI UTILITIES CO. AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

FEBRUARY 8, 1968.

Take notice that on February 2, 1968, Missouri Utilities Co. (Applicant), 400 Broadway, Cape Girardeau, Mo. 63701, filed in Docket No. CP68-219 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Panhandle Eastern Pipe Line Co. (Respondent) to establish physical connection of its transmission facilities with the facilities to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the cities of Blackwater and Nelson, Mo., and environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate in the city of Blackwater, Cooper County, Mo., and in the city of Nelson, Saline County, Mo., and environs a natural gas distribution system for the distribution and resale of natural gas purchased from Respondent.

Applicant requests that Respondent be ordered to establish physical connection of its transmission facilities with a transmission line to be constructed by Applicant at an existing supply tap at the Pilot Grove M & R Station north of the town of Pilot Grove, Mo. Applicant further requests that Respondent be ordered to sell and deliver to Applicant volumes of natural gas for distribution and resale in the aforementioned communities and environs.

The estimated third year peak day and annual requirements of the proposed service to the aforementioned communities is 537 Mcf and 80,913 Mcf, respectively, at 14.65 p.s.i.a.

The total estimated cost of Applicant's proposed distribution and transmission facilities is \$115,163, which will be financed from funds on hand and proceeds of unsecured short-term bank loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 7, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1789; Filed, Feb. 13, 1968;
8:45 a.m.]

[Docket Nos. G-4831, etc.]

**PAN AMERICAN PETROLEUM CORP.
ET AL.****Findings and Order; Correction**

FEBRUARY 1, 1968.

In findings and order after statutory hearing issuing certificates of public convenience and necessity, canceling docket number, amending certificates, permitting and approving abandonment of service, terminating certificates, terminating rate proceeding, making successor correspondent, redesignating proceeding, accepting agreement and undertaking for filing and accepting related rate schedules and supplements for filing, issued April 19, 1967, and published in the *FEDERAL REGISTER*, April 29, 1967 (F.R. Doc. 67-4625), 32 F.R. 6658, Docket Nos. G-4831 et al., 9th column: Change the location to read "Union and Grant Districts" in lieu of "Union and Murphy Districts" relating to Docket No. CI67-1180.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1790; Filed, Feb. 13, 1968;
8:45 a.m.]

[Docket No. CP68-214]

PANHANDLE EASTERN PIPE LINE CO.**Notice of Application**

FEBRUARY 7, 1968.

Take notice that on January 29, 1968, Panhandle Eastern Pipe Line Co. (Applicant), 344 Broadway, Kansas City, Mo. 64141, filed in Docket No. CP68-214 an application pursuant to sections 3 and 7(c) of the Natural Gas Act for authorization to increase the export of natural gas to Canada and for a certificate of public convenience and necessity authorizing (1) the construction and operation of certain natural gas facilities for the transportation and sale of natural gas in interstate commerce for resale and (2) the increased sales and deliveries to 36 resale customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to section 3 of the Act, Applicant seeks authorization to increase to 32,500,000 Mcf per year the export of natural gas to Union Gas Company of Canada, Ltd. (Union), for resale and distribution in Canada. Applicant states that it will also file an application pursuant to Executive Order 10485.

Pursuant to section 7(c) of the Act, Applicant seeks authorization to construct and operate the following facilities:

(1) Approximately 35 miles of 30-inch main line loop, representing a continuation of Applicant's fourth main pipeline;

(2) 34,500 compressor horsepower to be installed at various locations on Applicant's system, and 1,350 compressor horsepower at Waverly Storage Field;

(3) Approximately 13 miles of lateral facilities to be installed on Applicant's present system;

(4) Approximately 41 miles of 30-inch line looping a portion of Applicant's western Oklahoma line (Elk City Line) together with 4,000 horsepower at the existing Alva compressor station and 3,400 horsepower at the existing Haven compressor station; and

(5) Measuring station revisions and other appurtenances in conjunction with this application.

Applicant requests an increase in the limitation on total reservoir gas content for Howell Storage Field by 1,000,000 Mcf above the volume specified in Docket No. CP67-170 to provide necessary reservoir gas content at the end of the injection cycle plus a minimum safety factor.

Applicant also proposes to install 8.8 miles of 24-inch line together with appurtenances for an auxiliary service line to provide increased volumes and reliable service for export.

The application states that the aforementioned facilities will enable Applicant to increase the winter contract demand of its utility customers in the United States by 133,019 Mcf per day with certain lesser increases for the non-winter months, and to increase its authorized deliveries to Union.

The total estimated cost of the proposed facilities is \$29,128,000, which will be financed initially by short-term bank loans and through the issuance of debentures or other securities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 4, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1791; Filed, Feb. 13, 1968;
8:46 a.m.]

[Docket No. CP68-222]

UNITED GAS PIPE LINE CO.**Notice of Application**

FEBRUARY 8, 1968.

Take notice that on February 7, 1968, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La.

71102, filed in Docket No. CP68-222 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities for the transportation and sale of natural gas in interstate commerce and for the sale of additional volumes of natural gas to Mississippi River Transmission Corp. (Mississippi), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate approximately 18 miles of 30-inch loops on its South to North Louisiana 30-inch line, and the enlargement of existing sales and check meter stations. Applicant further proposes to increase its sales and deliveries to Mississippi from the presently authorized maximum daily quantity of 483,865 Mcf of natural gas to 533,865 Mcf, an increase of 50,000 Mcf, by the use of the aforementioned proposed facilities.

The total estimated cost of the proposed facilities is \$3,227,000, which cost will be financed through funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (§ 157.10) on or before March 1, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1892; Filed, Feb. 13, 1968;
8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE**Food and Drug Administration****UNION CARBIDE CORP.****Notice of Withdrawal of Petition
Regarding Pesticides**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec.

408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations (21 CFR 120.8), Union Carbide Corp., Post Office Box 8361, South Charleston, W. Va. 25303, has withdrawn its petition (PP 8F0637), notice of which was published in the FEDERAL REGISTER of September 20, 1967 (32 F.R. 13299), proposing the establishment of a tolerance of 0.15 part per million for residues of the insecticide 2-methyl-2-(methylthio) propionaldehyde O-(methylcarbamoyl) oxime in or on the raw agricultural commodity cottonseed.

Dated: February 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-1802; Filed, Feb. 13, 1968;
8:47 a.m.]

Office of the Secretary

FOOD AND DRUG ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 10 (Food and Drug Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (32 F.R. 10006) is hereby amended as follows:

In section 10-B Organization and Functions, the statements for the Assistant Commissioner for Administration and the Division of Management Systems have been revised and a statement for the Division of Data Processing has been added as follows:

Assistant Commissioner for Administration. Serves as principal advisor to the Commissioner on all phases of management inherent in the operations of FDA. Responsible for the effective direction and utilization of all management resources and the implementation of operating programs by coordinating the funding, manpower, facilities, and equipment needs of the Agency. Provides leadership and direction to administrative management including budget, finance, personnel, organization, methods, procurement and property, records, data processing, and similar supporting activities. Provides central administrative services. Assures that conduct of these efforts effectively supports program operations.

Division of Data Processing. Directs the development and performance of data processing systems designed to provide FDA with program and administrative data for planning, programing, budgeting, and other managerial purposes; provides computer services for the Agency. Serves as the focal point within FDA to whom line and staff officials turn for guidance and counsel on automatic data processing and computerization matters. Conducts feasibility studies to determine the potential for initiation or refinement of automatic data processing techniques. Develops short and intermediate range plans for mission accom-

plishment. Establishes policy which forms the framework for management of the Division's program responsibilities. Initiates systematic progress appraisal studies to assess efficiency and responsiveness of operations and determines modifications or changes that need to be made. Determines need for contracts for data processing services to supplement in-house data processing capabilities. Reviews proposed contracts which originate outside of the Division but which have data processing implications. Remains abreast of the state of the art by maintaining cognizance and assessing potential application of new technological developments in computer and automatic data processing equipment. Maintains liaison and develops cooperative relations with counterparts in other Government agencies. Represents FDA in intradepartmental computerization and automatic data processing conferences.

Division of Management Systems. Assists the Assistant Commissioner for Administration in carrying out his responsibilities in those phases of agency management which involve: organization and operations analysis; planning and evaluation of operations; and effective and economical use of resources. Conducts management surveys and studies of FDA administrative and program operations. Provides professional analytical and quantitative services in the planning, design, improvement, analysis, and installation of integrated systems of men, materials, and equipment. Develops and maintains coordinated systems for the management of directives, reports, forms, records, and correspondence. Maintains liaison with the DHEW Office of Management Planning, General Services Administration, Bureau of the Budget, and other Federal agencies concerned with such matters.

Dated: February 8, 1968.

DONALD F. SIMPSON,
Assistant Secretary
for Administration.

[F.R. Doc. 68-1803; Filed, Feb. 13, 1968;
8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-94, 50-147]

NORTH AMERICAN ROCKWELL CORP.

Notice of Issuance of Facility License Amendments

The Atomic Energy Commission has issued amendments, effective as of the date of issuance and as set forth below, to Facility License Nos. R-40 and CX-17. The licenses were previously issued to North American Aviation, Inc., and authorize possession, use and operation of two reactor facilities on the company's sites in Canoga Park and Ventura County, Calif., respectively.

The amendments change the name of the licensee from North American Aviation, Inc., to North American Rockwell Corp., as a result of the merger of Rockwell-Standard Corp. into North American Aviation, Inc. In an

application dated September 21, 1967, and supplement thereto dated January 3, 1968, North American advised the Commission that the merger did not have any effect on the operating staff and procedures for the two reactor facilities and that there has been no change in the legal status of North American Aviation.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by the issuance of these license amendments may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see the licensee's application dated September 21, 1967, and supplement thereto dated January 3, 1968, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 5th day of February 1968.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[License No. R-40; Amdt. 2]

FACILITY LICENSE AMENDMENT

The Atomic Energy Commission has found that:

a. The application dated September 21, 1967, as supplemented January 3, 1968, for license amendment to change the name of the licensee complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. The amendment, changing the licensee's name, will not be inimical to the common defense and security or to the health and safety of the public; and

c. Prior public notice of proposed issuance of this amendment does not require since the amendment does not involve significant hazard considerations different from those previously evaluated.

Accordingly, Facility License No. R-40, as amended, and issued to North American Aviation, Inc., for the 10 watt (thermal) nuclear research reactor designated as the L-77 and located in Canoga Park, Calif., is hereby further amended by changing the name of the licensee from North American Aviation, Inc., to North American Rockwell Corp. wherever appearing in the license and amendment thereto. All other conditions remain unchanged.

This amendment is effective as of the date of issuance.

Date of issuance: February 5, 1968.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[License No. CX-17; Amdt. CX-17]

FACILITY LICENSE AMENDMENT

The Atomic Energy Commission has found that:

a. The application dated September 21, 1967, as supplemented January 3, 1968, for license amendment to change the name of the licensee complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. The amendment, changing the licensee's name, will not be inimical to the common defense and security or to the health and safety of the public; and

c. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Accordingly, Facility License No. CX-17, as amended and issued to North American Aviation, Inc., for the Epithermal Critical Experiment Laboratory (ECEL) (also known as separable-half critical experiments facility) located in Ventura County, Calif., is hereby further amended by changing the name of the licensee from North American Aviation, Inc., to North American Rockwell Corp. wherever appearing in the license and amendments thereto. All other conditions remain unchanged.

This amendment is effective as of the date of issuance.

Date of issuance: February 5, 1968.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[F.R. Doc. 68-1783; Filed, Feb. 13, 1968;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19519; Order No. E-26333]

AMERICAN FLYERS AIRLINE CORP.
ET AL.

Order Granting Tentative Approval

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of February 1968.

Joint application of American Flyers Airline Corp., Grant Aviation Leasing Corp., The First Grant Corp., and various individuals, Docket No. 19519.

By amended application filed on February 6, 1968,¹ American Flyers Airline

¹ The original application was filed on Jan. 22, 1968. Attached to such application were the following: (1) A signed copy of a lease agreement between Flyers and GALT, and (2) unexecuted copies of (a) Purchase agreement between Flyers and the Boeing Co.; (b) a credit agreement between GALT and the Chase Manhattan Bank and Chemical Bank New York Trust Co.; (c) a chattel mortgage from GALT to the Chase Manhattan Bank; (d) an assignment of the Boeing-Flyers purchase agreement to the Chase Manhattan Bank and (e) an assignment to the Chase Manhattan Bank of the Flyers-GALT lease agreement. It is expected that conformed copies of the aforementioned documents will be filed with the Board upon their execution.

Corp. (Flyers), Grant Aviation Leasing Corp. (GALT), The First Grant Corp. (First Grant), and the following individual applicants—Messrs. E. T. Binger, Lucian Hunt, W. Gordon Rauck, and Mrs. Virginia Pigman—jointly requested that the Board (1) grant an exemption pursuant to section 416(b) of the Federal Aviation Act of 1958, as amended (the Act), from section 408 of the Act to the extent such section applies to the leasing by GALT of two Boeing 727-185C jet aircraft (B-727 aircraft) to Flyers and exempt the interlocking relationships existing between Flyers, GALT, and First Grant; or, (2) approve the aforesaid leasing and interlocking relationships under the third proviso of section 408(b) and section 409 of the Act, respectively. In addition, First Grant requested approval pursuant to section 408(b), of its control of GALT while it controls Flyers.

The relief requested by the applicants arises from the following transactions and relationships: (1) The establishment and control of GALT by First Grant while it controls Flyers; (2) the assignment to GALT of Flyers' contract with the Boeing Co. to purchase two B-727 aircraft, and the proposed lease of the B-727 aircraft by Flyers from GALT; and (3) the interlocking relationships involving Flyers, GALT, and First Grant.

First Grant owns 83 percent of Flyers' stock, while Mrs. Pigman owns the remaining 17 percent of Flyers' stock. First Grant is controlled by the Pittsburgh Coke & Chemical Co. which, in turn, is controlled by Henry L. Hillman and members of his family. First Grant owns 86 percent of GALT, while Mrs. Pigman owns 14 percent of the company.

Flyers has assigned its purchase agreement with Boeing to GALT and executed an agreement with GALT to lease back the two aircraft. The term of the lease for each aircraft is 10 years. The aircraft

are scheduled for delivery on February 19, 1968, and in March 1968. Rental for each aircraft throughout the term of the lease is 40 equal, consecutive, quarter-annual installments of \$225,000. The difference between the purchase price of the aircraft and the sum of the lease payments which Flyers will pay over the term of the lease results from 6¼ percent interest on loans for the purchase of the aircraft plus a 10 percent return on investment for GALT.² Under the arrangement Flyers will get the benefit of the investment credit. Upon termination of the lease the aircraft will revert to GALT.

According to the applicants, GALT was created because the banks which are financing the purchase required the establishment of a separate company to take title to the aircraft. GALT will borrow approximately 75 percent of the aggregate purchase price of the aircraft from the Chase Manhattan Bank and Chemical Bank New York Trust Co. As security for the loans GALT will execute a chattel mortgage on the aircraft in favor of the banks and will assign to the banks the Boeing purchase agreement,³ the lease agreement and a maintenance agreement between Braniff International Airways and Flyers. Rental payments under the lease will be used to pay off the bank loans.

The interlocking relationships for which approval or an exemption is requested are as follows:

² The return is calculated on the \$3 million First Grant and Mrs. Pigman paid into GALT in return for their respective 86 percent and 14 percent ownership interests in the leasing company.

³ Although the Boeing purchase agreement assignment gives Chase Manhattan Bank a security interest in GALT's right, title, and interest in the aircraft, title to the aircraft is vested in GALT.

Individual	Flyers	GALT	First Grant
E. T. Binger.....	Chairman of Board, Director..	President, Treasurer, Director..	President, Treasurer, Director..
Lucian Hunt.....	President Director.....	Vice President.....	
Mrs. Pigman.....	Honorary Chairman, Director..		
W. Gordon Rauck ¹		Secretary.....	Assistant Secretary..

¹ At present Mrs. Pigman and Mr. Rauck do not have interlocking relationships within the scope of section 409 of the Act. Consequently, their request for relief will be dismissed. If either individual should be elected to an officer or directorship in one or more of the companies involved herein, it appears that the exemption provided for in Part 287 of the Economic Regulations would be applicable to such relationships.

² Mr. Rauck is to be elected Assistant Secretary of Flyers at some future date.

No comments relative to the application have been received nor have there been any requests for a hearing.

The Board concludes that GALT is a person engaged in a phase of aeronautics within the meaning of section 408 of the Act and, therefore, its establishment and control by First Grant, a person controlling an air carrier, is subject to section 408(a)(6) of the Act.⁴ The Board

⁴ It appears from the filing that the control and interlocking relationships involving First Grant and GALT have been in effect for some time. Nevertheless, it has been decided not to enforce the doctrine expressed in the Sherman Control and Interlocking Relationships (15 CAB 876(1952)), and to consider the application on its merits.

also finds that the aircraft to be leased from GALT by Flyers constitute a substantial part of GALT's properties within the meaning of section 408 and that the lease transaction is subject to such section. We also find that the interlocking relationships existing between Flyers, GALT, and First Grant are subject to section 409 of the Act.

However, the Board has concluded tentatively that the lease transactions and acquisition of control of GALT by First Grant while it controls Flyers do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly, and do not tend to restrain competition. Furthermore, no

person disclosing a substantial interest is currently requesting a hearing and it is found that the public interest does not require a hearing.

According to the applicants the form of the transaction, establishment of GALC to hold title to and lease the aircraft to Flyers, was prescribed by the lending institutions. Thus, the overall transaction appears to be essentially a method to finance acquisition of the equipment.⁵ Flyers alleged that it has an urgent need for jet equipment and that the instant arrangement will permit it to acquire such equipment upon reasonable terms. Acquisition of jet equipment should enable Flyers to become a more effective competitor and therefore the transaction appears to be in the public interest. However, we note that First Grant owns 25 percent of Standard Aircraft Equipment Co. (Standard), a distributor of aircraft parts. Although First Grant may not control Standard since one individual owns 56 percent of Standard's voting stock, the Board will attach a reporting requirement in its final order, requiring Flyers to report all transactions over \$100,000 per year in the aggregate with Standard.

In view of the foregoing, the Board tentatively concludes that it should approve without hearing under the third proviso of section 408(b) of the Act, (1) the establishment and control of GALC by First Grant, while it controls Flyers; and (2) the lease of the aircraft by Flyers from GALC. We will also tentatively approve, under section 409, the interlocking relationships involving Flyers, GALC, First Grant, and Messrs. Binger and Hunt, since a due showing has been made in the form and manner prescribed by Part 251 of the Board's Economic Regulations that such interlocking relationships will not adversely affect the public interest. In accordance with the Act, this order, constituting notice of the Board's tentative findings, will be published in the FEDERAL REGISTER and interested persons will be afforded an opportunity to file comments or request a hearing on the Board's tentative decision.

Accordingly, it is ordered:

1. That interested parties are hereby afforded a period of ten (10) days from the date of issuance of this order within which to file comments or request a hearing with respect to the Board's proposed action;⁶ and

2. That the Attorney General of the United States be furnished a copy of this order within one day of publication.

⁵ Although the air carrier and phase of aeronautics are under common control, the regulatory problems discussed in Order E-25854, Oct. 19, 1967, do not appear to exist herein. The form of transaction was prescribed by the banks and both companies are owned in almost the same percentages by the same individuals.

⁶ Comments shall conform to the requirements of the Board's rules of practice for filing comments. Further, since an opportunity to file comments is provided for, petitions for reconsideration of this order will not be entertained.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-1825; Filed, Feb. 13, 1968;
8:48 a.m.]

[Docket No. 19557]

ROYALAIR, LTD.

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding now assigned to be held February 14, 1968, is hereby indefinitely postponed.

Dated at Washington, D.C., February 8, 1968.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 68-1826; Filed, Feb. 13, 1968;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10834; FCC 68-100]

FLORIDA-GEORGIA TELEVISION CO., INC. ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of Florida-Georgia Television Co., Inc., Jacksonville, Fla., Docket No. 10834, File No. BPCT-1624; Community First Corp., Jacksonville, Fla., Docket No. 17582, File No. BPCT-3681; The New Horizons Telecasting Co., Inc., Jacksonville, Fla., Docket No. 17583, File No. BPCT-3731; Florida Gateway Television Co., Jacksonville, Fla., Docket No. 17584, File No. BPCT-3732; for construction permit for new television broadcast station.

1. The Commission has under consideration: (a) The application filed December 4, 1967, by Florida-Georgia Television Co., Inc., for review of the Review Board's memorandum opinion and order (FCC 67R-491), released November 24, 1967, granting Antwin Theaters, Inc., leave to intervene and enlarging the scope of the proceeding; (b) the comments of the Broadcast Bureau filed December 21, 1967, supporting the application; (c) the opposition of Antwin Theaters, Inc., filed December 19, 1967; (d) Florida-Georgia Telecasting Co., Inc.'s reply, filed January 2, 1968; (e) the application of The New Horizons Telecasting Co., filed December 5, 1967, for review of the Review Board's memorandum opinion and order (FCC 67R-493), released November 28, 1967, which added a Suburban issue to this proceeding; (f) oppositions filed December 15, 1967, by Florida-Georgia Television Co., Inc., and December 18, 1967, by the Broadcast Bureau; (g) replies filed

December 21 and 26, 1967, by The New Horizons Telecasting Co., Inc.; and (h) a petition to accept a late pleading, filed December 18, 1967, by the Broadcast Bureau.¹

2. The application for review filed by New Horizons will be denied. The discussion hereinafter will relate only to the questions arising from the application for review filed by Florida-Georgia.

3. Antwin, a motion picture theater owner, petitioned the Review Board to enlarge the issues in this proceeding by adding a disqualifying issue against Florida-Georgia, arguing that Wometco Enterprises, Inc., a 45.5 percent stockholder in Florida-Georgia and a motion picture exhibitor, used the film purchasing power of the television facility which Florida-Georgia is now operating as part of a conspiracy to deny Antwin access to first run motion pictures. The Board, in its memorandum opinion and order (FCC 67R-491), released November 24, 1967, refused to add a disqualifying issue but held that Antwin could adduce evidence with respect to its allegations under the standard comparative issue. Florida-Georgia argues in its application for review that the Review Board expanded the scope of the comparative issue in this case contrary to our holding in Wometco Enterprises, Inc., 9 FCC 2d 535, 10 RR 2d 807 (1967), appeal pending sub nom., Antwin Theaters, Inc., v. Federal Communications Commission, Case No. 21,260 (D.C. C.A.).

4. In Wometco, we were asked, inter alia, to designate for hearing the renewal applications of two television stations owned or controlled by Wometco Enterprises, Inc. It was charged by Antwin that Wometco had also used the film purchasing power of its television stations as part of the conspiracy to deny Antwin access to first run motion pictures in the Miami, Fla., area. Antwin made essentially the same allegations to us that it had made in an earlier filed private antitrust action against Wometco and other parties which is pending in the U.S. District Court for the Southern District of New York (Civil Action File No. 66-2020). We concluded in Wometco that the better course to follow was to await the conclusion of the court case to avoid a duplication of effort.

5. In this proceeding Florida-Georgia is involved in a comparative hearing. Antwin has renewed the allegations of misconduct based upon Wometco's 45.5 percent interest in Florida-Georgia, and one of the comparative applicants, Florida Gateway Television Co., has supported Antwin's right to intervene because Antwin would have relevant evidence to contribute. We agree with the Review Board that the allegations of misconduct on Wometco's part, if proven, may reflect adversely on Florida-Georgia's qualifications. Since this proceeding has been designated for hearing

¹ Since no opposition to the Bureau's request has been filed and since the Bureau's pleading was merely 1 workday late, the petition to accept late pleading will be granted.

and since a matter clearly relevant to Florida-Georgia's qualifications has been raised, and supported by one of the applicants, we are convinced that these allegations should be heard. Although the Board limited consideration of this matter to Florida-Georgia's comparative qualifications, we are persuaded that these allegations may also bear upon Florida-Georgia's basic qualifications to be a broadcast licensee. For this reason, we conclude that Florida-Georgia's application for review should be denied and that the issues in this case should be enlarged to determine whether Florida-Georgia should be disqualified, or, if not, whether a comparative demerit should be assessed against it.

6. We should emphasize, however, that the issues in this proceeding are different from those in Antwin's private antitrust case and that this is not the proper forum to try such a case. Our purpose is merely to determine whether Florida-Georgia's television facility has been used, or is now being used, in furtherance of anticompetitive conduct which may reflect on its qualifications to be a broadcast licensee, see *Mansfield Journal Co. v. Federal Communications Commission*, 86 U.S. App. D.C. 102, 108 F.2d 28 (1950), not whether there has been a violation of the antitrust laws.

7. In view of our action in this case, we are instructing the General Counsel to seek a remand of the Wometco proceeding for further consideration of Antwin's allegations consistent with our action here. Since Antwin's allegations must be heard in this proceeding, we are persuaded that the public interest would be best served by a prompt resolution by this Commission of the questions raised in the Wometco proceeding. Effective upon remand by the Court of Appeals, the applications for renewal of license of Stations WTVJ, Miami, Fla., and WLOS-TV, Asheville, N.C., will be designated for hearing.²

8. Accordingly, it is ordered:

(a) That the petition to accept late pleading filed by the Chief, Broadcast Bureau, on December 18, 1967, is granted.

(b) That the application for review filed by The New Horizons Telecasting Co., Inc., on December 5, 1967, is denied.

(c) That the application for review filed by Florida-Georgia Television Co., Inc., on December 4, 1967, is denied; and

(d) That the issues designated for hearing in this proceeding are, on the Commission's own motion, enlarged to include the following issues:

To determine, insofar as it relates to the qualifications of Florida-Georgia Television Co., Inc., to be a broadcast licensee, whether the television facility which it is now operating in Jacksonville, Fla., has been used or is now being used

² We shall not, however, "call up" in advance the renewals of the license for Station KVOZ-TV, Bellingham, Wash., or the licenses for the stations owned or controlled by the American Broadcasting Cos., Inc., as requested by Antwin in this Wometco proceeding. Consideration of such renewals should properly await their filing in due course.

in furtherance of anticompetitive activities with respect to the distribution of first run motion picture films; and

To determine, in light of the evidence adduced with respect to the preceding issue, whether Florida-Georgia Television Co., Inc., should be disqualified or, if not, whether a comparative demerit should be assessed against it in this proceeding.

Adopted: January 31, 1968.

Released: February 6, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-1838; Filed, Feb. 13, 1968;
8:49 a.m.]

FEDERAL MARITIME COMMISSION ATLANTIC AND GULF/WEST COAST OF SOUTH AMERICA CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street, NW., room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. C. D. Marshall, Chairman, Atlantic and Gulf/West Coast of South America Conference, 11 Broadway, New York, N.Y. 10004.

Agreement 2744-29, between the member lines of the Atlantic and Gulf/West Coast of South America Conference modifies the basic agreement by deleting the second paragraph of Article 1(a) pertaining to conference rules governing transshipment agreements between conference members and nonconference lines, and restates Article 1(c) to cover proportionals on cargo transshipped between member lines only and to bring the destination ports named therein into conformity with those named in the conference tariff. As restated, Article 1(c) will read as follows:

"It is agreed that on cargo transshipped at Cristobal, and/or Balboa, C.Z., between member lines through rates shall be divided equally between the carriers participating in the movement, each of which will as-

sume one-half of the cost of transshipment, except that on cargo destined to Ancud, Castro, Chacabuco, Corral, Natales, Puerto Montt, Punta Arenas (Magallanes), and Valdivia, Chile, and all other ports south of Talcahuano, the port differentials as shown in the tariff as applying to these ports, over and above the base rate to Valparaiso, Chile, will wholly accrue to the carrier from Cristobal and/or Balboa, C.Z., to destination.

Dated: February 9, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-1794; Filed, Feb. 13, 1968;
8:46 a.m.]

[Independent Ocean Freight Forwarder
License 461]

E. HENNIGSON CO., INC.

Revocation of License

Whereas, E. Hennigson Co., Inc., 99 Wall Street, New York, N.Y. 10004, has ceased to operate as an Independent Ocean Freight Forwarder; and

Whereas, by letter dated January 15, 1968, E. Hennigson Co., Inc., has requested the cancellation of its Independent Ocean Freight Forwarder License No. 461, and

Whereas, E. Hennigson Co., Inc., has returned Independent Ocean Freight Forwarder License No. 461 to the Commission.

Now Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, No. 201.1 (revised), § 6.03.

It is ordered, That the Independent Ocean Freight Forwarder License No. 461 of E. Hennigson Co., Inc., be and is hereby revoked, effective 12:01 a.m., February 6, 1968.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

LEROY F. FULLER,
Acting Director,
Bureau of Domestic Regulation.

[F.R. Doc. 68-1795; Filed, Feb. 13, 1968;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2249]

PAUL REVERE VARIABLE ANNUITY CONTRACT ACCUMULATION FUND

Notice of Application for Exemption

FEBRUARY 8, 1968.

Notice is hereby given that The Paul Revere Variable Annuity Contract Accumulation Fund ("Applicant"), 18 Chestnut Street, Worcester, Massachusetts, an open-end investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) for an order exempting Applicant from the provisions of sections 22(d) and 27(a)

of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations which are summarized below.

Applicant is sponsored by The Paul Revere Variable Annuity Insurance Co. ("Insurance Company"). Applicant previously has been exempted from various sections of the Act with respect to its individual and group variable annuity contracts (Investment Company Act Release Nos. 4581 and 4811).

Insurance Company established Applicant as a Fund under Massachusetts law to hold the assets designated for the variable annuity contracts which Insurance Company proposes to sell. The net proceeds from the sale of all variable annuity contracts, after deduction of sales and administrative charges, will be invested in equity and debt securities and credited to the respective accounts of the purchasers. The value of the purchaser's interest in the Applicant will vary in accordance with the investment experience of the Applicant's assets.

Applicant is at present offering for sale and selling both individual single payment variable annuity contracts (single payment contracts) and individual periodic payment deferred variable annuity contracts (periodic payment contracts).

Section 27(a). As here pertinent, section 27(a) of the Act, in substance, prohibits the sale of any periodic payment plan certificate issued by a registered investment company if (i) the sales load exceeds 9 percent of the total payments to be made thereon (ii) the sales load deducted in the first year exceeds 50 percent of the first year's payments, or (iii) the amount of sales load deducted from any of the first 12 monthly payments exceeds proportionately the amount deducted from any other such payment, or the amount deducted from any subsequent payment exceeds proportionately the amount deducted from any other subsequent payment.

Applicant states that the periodic payment contracts which are presently being offered for sale and sold provide for a sales load deduction of 25 percent of the purchaser's payments for the first contract year, 5 percent of such payments for the second through 11th contract years, and no sales load thereafter. These periodic payment contracts provide that after the first contract year additional single sum payments in an amount not less than \$100 each may be made with the approval of Insurance Company. The percentage deduction for sales load from such additional payments is the sales load applicable to the periodic payment then due or next to become due, if none is then due.

On April 28, 1966, the Commission, by order pursuant to section 6(c) of the Act (Investment Company Act Release No. 4581) granted Applicant an exemption, to the extent requested, from the provisions of, among others, section 27(a) of the Act to permit the deduction of all sales load on the periodic payment contracts in the first 11 contract years and to permit the sales load to be de-

ducted at a nonuniform rate from periodic payments made after the first year. An exemption from section 22(d) of the Act was also granted in the foregoing order to permit a sales load deduction from additional payments made by purchasers after the first contract year at the same rate as the sales load on the periodic payment then due or next to become due, if none is then due.

Applicant now proposes to offer periodic payment contracts which will provide for a sales load deduction of 25 percent of the purchaser's first 12 monthly payments, 5 percent of the next 108 monthly payments and 2 percent of all monthly payments thereafter. The proposed contract and scale of load charges differs from the present contract in that (i) there is no provision for increasing the amount paid on the contract through additional single sum payments, (ii) the break in the sales load scale subsequent to that at the end of the first year is after 120 monthly payments (10 years) rather than after 11 years (132 monthly payments) and (iii) there is a 2 percent sales charge on purchase payments subsequent to the 120th monthly payment whereas no sales charge is provided under the present contract subsequent to payments after the 11th contract year.

Applicant states that the sales load structure of the present periodic payment contract disproportionately favors the sophisticated investor in that such investor will purchase a minimum plan initially and at the expiration of the first year increase his periodic payments to the amount that he originally intended to invest on a periodic basis.

Applicant states that although the proposed periodic payment contract contains a specified annuity commencement date, it may be deferred or accelerated, or the contract may be redeemed before such date at the option of the purchaser. Under such circumstances, there is no fixed total purchase price or fixed period of years over which the average sales load can be computed. Applicant represents, however, that no such contracts will be issued if the annuity commencement date falls within 5 years of the date of the proposed contract. Applicant states that the overall average sales load will not exceed 9 percent if a contract is not redeemed or the effective annuity commencement date is not reached until payments have been made for 5 or more years. Applicant further represents that the deductions for sales load, as proposed, will be less, at any point in the life of the contract, than the maximum deduction permitted by section 27(a) of the Act.

Applicant requests with respect to the proposed periodic payment contract an exemption from the provisions of section 27(a) of the Act which require that the sales load be deducted at a uniform rate from payments made after the first year.

Section 22(d). Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at the current offering price described in the prospectus.

Single payment contracts. Under the terms of the single payment contracts now being offered and sold, a percentage of the initial single payment and of each additional payment is deducted for sales charge. The total amount of the payments made under the terms of the contract is taken into consideration in determining the percentage of each single payment that will be deducted for sales load. The present sales charges range from 7 percent for payments of \$4,999 or less to 2 percent for payments in excess of \$100,000.

Applicant proposes to offer new single payment contracts under the terms of which the percentage deduction for sales charges will range from 5.5 percent for payments of \$5,000 or less to 1.25 percent for any part of a payment in excess of \$100,000. In calculating the amount of sales charge to be deducted from each payment made by the investor under the new contracts, the total value of all single payment contracts acquired or being acquired by the purchaser and all additional single payments made under such contracts will be taken into consideration.

Applicant states that with respect to all single payment contracts now outstanding or which will become outstanding prior to the offer and sale of the new contracts, there will continue to be deducted from each additional payment made under any such contract the appropriate percentage set forth in the contract based upon the total value of the payments made. Applicant requests an exemption from section 22(d) to the extent necessary to permit the deduction of sales charges at the old rates from payments made under single payment contracts issued prior to the offer and sale of the new contracts at the same time that it is deducting sales charges at the rates as set forth in the new contracts from payments made for or under the new contracts.

Periodic payment contracts. Applicant proposes to issue new periodic payment contracts under the terms of which the deductions for sales load will be made in the percentages hereinabove set forth.

Applicant states that with respect to all periodic payment contracts now outstanding or which will become outstanding prior to the offer and sale of the proposed contracts it is legally obligated to accept additional periodic payments in minimum amounts of \$100 and to deduct therefrom as sales load the same percentage applicable to the periodic payment then due under such contracts or next to become due if none is then due. Applicant requests an exemption from section 22(d) to the extent necessary to permit the deduction of sales charges at the old rates from payments made under periodic payment contracts issued prior to the offer and sale of the new contracts at the same time that it is deducting sales charges at the rates as set forth in the new contracts from periodic payments made under the new contracts.

Section 6(c) of the Act provides, among other things, that the Commission by order upon application, may conditionally or unconditionally exempt any

transaction from any provision or provisions of the Act or any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 28, 1968, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant, at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-1814; Filed, Feb. 13, 1968;
8:46 a.m.]

STANDARD SHARES, INC. PITTMAY CORP.

[812-2211]

Notice of Filing of Application for Exemption

FEBRUARY 8, 1968.

Notice is hereby given that Standard Shares, Inc. ("Standard"), 60 Broad Street, New York, N.Y. 10004, a registered closed-end, nondiversified management investment company, and its operating subsidiary Pittway Corp., formerly Pittsburgh Railways Co. ("Pittway"), 121 Seventh Street, Pittsburgh 30, Pa. (hereinafter collectively called "Applicants") have filed an application pursuant to sections 6(c) and 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting certain loans from the provisions of section 17(a)

of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Standard owns approximately 41 percent of the outstanding common stock of Pittway, an operating company, engaged in the diverse businesses of aerosol and other contract packaging, the manufacture of aerosol valves and of burglar and fire alarm devices and the publication of industrial magazines.

Pittway has adopted a Stock Option Plan for Salaried Employees ("Plan") which permits Pittway to grant such employees options to purchase 140,000 shares of its common stock. Pursuant to the Plan, options to purchase 109,513 shares of Pittway common stock were outstanding on September 30, 1967. By making loans on a continuing basis to certain full-time employees, Pittway proposes to assist them in the purchase of the common stock pursuant to such options.

It is proposed that each loan would be made subject to the following conditions:

1. The Pittway common stock issued upon the exercise of options under the Plan will secure the loan and will have a market value at the time of the loan of at least 25 percent more than the amount of the loan;

2. The loan will mature not later than three years and 1 month from the date of the loan, and will bear interest at a rate not more than one-half percent above nor less than one-half percent below the prime rate then charged by banks in Chicago, Ill.;

3. No officer, director, employee, or affiliate of Standard will be eligible for a loan;

4. No officer or director of Pittway will be eligible for a loan unless such person is a full-time employee of Pittway;

5. The Board of Directors of Pittway or an appropriate committee designated by the Board of Directors will approve each loan in writing not more than 3 months prior to the date on which the loan is made; and

6. Each loan shall be made in accordance with applicable Federal or State laws and any rules and regulations thereunder, including any rules and regulations promulgated by the Federal Reserve Board relating thereto.

Pittway also proposes to make small loans which may be interest free or bear interest at a rate not more than one-half percent above the prime rate then charged by banks in Chicago, Ill., to employees in particular hardship cases or in aid of a new employee in connection with a change of employment. These loans will not be made to an officer or director of Pittway or to an officer, director, employee, or affiliate of Standard.

Section 17(a) of the Act, insofar as here pertinent, prohibits Pittway, a company controlled by Standard, a registered investment company, from making loans to Pittway's employees (affiliated persons of an affiliated person of Standard).

However the Commission upon application pursuant to section 17(b), may grant an exemption from section 17(a) upon a finding that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of the registered investment company and the general purposes of the Act.

Section 6(c) of the Act provides that the Commission, by order upon application, may exempt any person, security, or transaction from any provision of the Act or from any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants represent that the loans proposed to be made as set forth above will be reasonable and fair, will not involve overreaching on the part of any person, will be consistent with the policy of Standard, and with the general purposes of the Act and will be in the public interest.

Notice is further given that any interested person may, not later than February 28, 1968, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-1815; Filed, Feb. 13, 1968;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 651]

OHIO

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of January 1968, because of the effects of certain disasters, damage resulted to residences and business property located in Erie County, Ohio;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on January 28, through January 30, 1968.

OFFICE

Small Business Administration Regional Office, 1370 Ontario Street, Cleveland, Ohio 44113.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to August 31, 1968.

Dated: February 7, 1968.

HOWARD GREENBERG,
Deputy Administrator.

[F.R. Doc. 68-1816; Filed, Feb. 13, 1968; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 9, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41236—Iron or steel scrap to Calvert, Ky. Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2905), for interested rail carriers. Rates on iron or steel scrap (not copper clad) as described in the applica-

tion, in carloads, from Leechburg, Pa., to Calvert, Ky.

Grounds for relief—Market competition.

Tariff—Supplement 195 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-334.

FSA No. 41237—Tridecyl and decyl alcohol to Chicago, Ill. Filed by O. W. South, Jr., agent (No. A5081), for interested rail carriers. Rates on tridecyl and decyl alcohol, in tank carloads, from Baton Rouge and New Orleans, La., to Chicago, Ill.

Grounds for relief—Carrier competition.

Tariff—Supplement 76 to Southern Freight Association, agent, tariff ICC S-470.

FSA No. 41238—Newsprint paper from Trois Rivieres, Quebec, Canada to Cleveland, Ohio. Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2904), for interested rail carriers. Rates on newsprint paper, in carloads, as described in the application, from Trois Rivieres, Quebec, Canada, to Cleveland, Ohio.

Grounds for relief—Truck-water competition.

Tariff—Supplement 36 to Canadian Pacific Railway Co. tariff ICC E. 2631.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-1830; Filed, Feb. 13, 1968; 8:48 a.m.]

[Notice 485]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

FEBRUARY 9, 1968.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protest against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 59680 (Deviation No. 55), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex. 75222, filed January 30, 1968. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a

deviation route as follows: From Onarga, Ill., over Interstate Highway 57 (U.S. Highway 45 where superhighway not completed) to junction Interstate Highway 70 near Effingham, Ill., thence over Interstate Highway 70 to junction U.S. Highway 40 near Bluffs, Ill., thence over U.S. Highway 40 to junction U.S. Highway 40A, thence over U.S. Highway 40A to junction U.S. Highway 40, thence over U.S. Highway 40 to junction Interstate Highway 70, near Pierron, Ill., thence over Interstate Highway 70 to junction U.S. Highway 66, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Onarga, Ill., over U.S. Highway 54 to Fullerton, Ill., thence over Illinois Highway 48 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Interstate Highway 70 and U.S. Highway 40 and return over the same route.

No. MC 59680 (Deviation No. 56), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex. 75222, filed February 2, 1968. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Exit No. 16 of the Pennsylvania Turnpike, near Carlisle, Pa., over U.S. Highway 11 to junction Interstate Highway 83, thence over Interstate Highway 83 to junction U.S. Highway 22 to Harrisburg, Pa., thence over U.S. Highway 22 to junction Interstate Highway 78, thence over Interstate Highway 78 to junction U.S. Highway 22 near Annandale, N.J., thence over U.S. Highway 22 to Newark, N.J., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Exit No. 16 of the Pennsylvania Turnpike, near Carlisle, Pa., over the Pennsylvania Turnpike (Interstate Highways 76 and 276) to junction New Jersey Turnpike, thence over the New Jersey Turnpike to Newark, N.J., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 426) (Cancels Deviation No. 326), GREYHOUND LINES, INC. (Central Division), 210 East Ninth Street, Fort Worth, Tex. 76102, filed January 31, 1968. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 70 and Arkansas Highway 38 over Arkansas Highway 38 to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 17, thence over Arkansas Highway 17 to Brinkley, Ark., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows:

From Memphis, Tenn., over U.S. Highway 70 to junction Arkansas Highway 17, and return over the same route.

No. MC 1515 (Deviation No. 427) (Cancels Deviation No. 407), GREYHOUND LINES, INC. (Southern Division), 219 East Short Street, Lexington, Ky. 40507, filed February 1, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S. Highway 25 and Interstate Highway 75 at or near Covington, Ky., over Interstate Highway 75 to junction U.S. Highway 25 (2 miles east of Mount Vernon, Ky.) with the following access routes: (a) From junction Interstate Highway 75 and Kentucky Highway 338 over Kentucky Highway 338 to Richwood, Ky., (b) from junction Interstate Highway 75 and Kentucky Highways 14-16 over Kentucky Highways 14-16 to Walton, Ky., (c) from junction Interstate Highway 75 and Kentucky Highway 491 over Kentucky Highway 491 to Crittenden, Ky., (d) from junction Interstate Highway 75 and Kentucky Highway 22 over Kentucky Highway 22 to Dry Ridge, Ky., (e) from junction Interstate Highway 75 and Kentucky Highway 36 over Kentucky Highway 36 to Williamstown, Ky., (f) from junction Interstate Highway 75 and Kentucky Highway 1032 over Kentucky Highway 1032 to Corinth, Ky., (g) from junction Interstate Highway 75 and U.S. Highway 62 over U.S. Highway 62 to Georgetown, Ky., (h) from junction Interstate Highway 75 and Kentucky Highway 922 over Kentucky Highway 922 to Lexington, Ky., (i) from junction Interstate Highway 75 and Kentucky Highway 169 over Kentucky Highway 169 to Richmond, Ky., (j) from junction Interstate Highway 75 and Kentucky Highway 595 over Kentucky Highway 595 to Berea, Ky., and (k) from junction Interstate Highway 75 and Kentucky Highway 21 over Kentucky Highway 21 to junction U.S. Highway 25, and (2) from junction U.S. Highway 25W and Interstate Highway 75 (2 miles south of Corbin, Ky.), over Interstate Highway 75 to junction U.S. Highway 25W, approximately 1 mile north of Lake City, Tenn., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: (1) From Cincinnati, Ohio, over U.S. Highway 25 to Lexington, Ky. (also from Cincinnati across the Ohio River to Covington, Ky., thence over Kentucky Highway 17 to junction U.S. Highway 27, thence over U.S. Highway 27 to Lexington), and thence over U.S. Highway 27 to Chattanooga, Tenn., and (2) from Lexington, Ky., over U.S. Highway 25 via Livingston, Oakley, and East Bernstadt, Ky., to Corbin, Ky., thence over U.S. Highway 25W to Knoxville, Tenn., and return over the same routes.

No. MC 1515 (Deviation No. 428) (Cancels Deviation No. 82), GREYHOUND LINES, INC. (Southern Division), 219

East Short Street, Lexington, Ky. 40507, filed February 2, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction Interstate Highway 77 and U.S. Highway 21 (3 miles north of Pocatello, W. Va.), over Interstate Highway 77 to junction West Virginia Highway 56, thence over West Virginia Highway 56 to Sandyville, W. Va., with the following access road: From junction Interstate Highway 77 and U.S. Highway 33 over U.S. Highway 33 to Ripley, W. Va., and (2) from junction Interstate Highway 77 and U.S. Highway 21 (south of Parkersburg, W. Va.), over Interstate Highway 77 to junction Alternate U.S. Highway 50, east of Marietta, Ohio, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Bridgeport, Ohio, over Ohio Highway 7 to Belpre, Ohio, thence across the Ohio River to Parkersburg, W. Va., thence over U.S. Highway 21 to Ripley, W. Va., thence over relocated U.S. Highway 21 to Fairplain, W. Va., thence over U.S. Highway 21 via Oak Hill and Glen Jean, W. Va., to Beckley, W. Va., and return over the same route.

No. MC 50026 (Deviation No. 12), ARKANSAS MOTOR COACHES LIMITED, INC., 100 East Markham, Little Rock, Ark. 72201, filed February 1, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 67 and Interstate Highway 30, 0.6-mile east of Fulton Junction, Ark., over Interstate Highway 30 to Homan, Ark., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Memphis, Tenn., over U.S. Highway 70 to Hot Springs National Park, Ark., thence over Arkansas Highway 7 to Arkadelphia, Ark., thence over U.S. Highway 67 to Texarkana, Tex., and return over the same route.

No. MC 61616 (Deviation No. 27), MIDWEST BUSLINES, INC., 433 West Washington Avenue, North Little Rock, Ark. 72214, filed February 1, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 67 and Interstate Highway 30, 0.6 mile east of Fulton Junction, Ark., over Interstate Highway 30 to Homan, Ark., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 67 to Judsonia, Ark., thence over U.S. High-

way 67 to junction U.S. Highway 67C, thence over U.S. Highway 67C to junction U.S. Highway 67, thence over U.S. Highway 67 to Maud, Tex., and return over the same route.

No. MC 109780 (Deviation No. 22), TRANSCONTINENTAL BUS SYSTEM, INC., 501 South Central Avenue, Los Angeles, Calif. 90021, filed January 31, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highway 580 and old U.S. Highway 50 east of Castro Valley, Calif., over Interstate Highway 580 to Oakland, Calif., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Stockton, Calif., over U.S. Highway 50 to San Francisco, Calif., and return over the same route.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-1831; Filed, Feb. 13, 1968;
8:48 a.m.]

[Notice 1149]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

FEBRUARY 9, 1968.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 31600 (Sub-No. 626) (Republication), filed January 22, 1968, published in FEDERAL REGISTER issue of February 8, 1968, and republished this issue. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Carbon black, in bulk, in tank or hopper-type vehicles, from Belpre, Ohio, to points in Indiana, Kentucky, Maryland, Massachusetts, Michigan, New York, Ohio, Pennsylvania, and Virginia.

NOTE: Applicant states that physically the operation could be tacked to some of the authority held but applicant does not intend to do so. The purpose of this republication is to reflect the hearing information.

HEARING: March 4, 1968, before Examiner James A. McKiel, at the offices of the Interstate Commerce Commission, Washington, D.C.

No. MC 97068 (Sub-No. 6), (Correction), filed February 27, 1967, published in the FEDERAL REGISTER, issues of March 23, 1967 and May 24, 1967, and republished as corrected this issue. Applicant: H. S. ANDERSON TRUCKING COMPANY, a corporation, Highway 69, Post Office Box 3656, Port Arthur, Tex. 77640. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Iron or steel articles*, in bales or bundles, weighing 2,000 pounds or more each, which require the use of special equipment: *plates, posts, angles, forms, sheets, rounds, channels, beams, ingots, piling, billets, blooms, reinforcing rods, bards, wire mesh, and pipe*, from Houston, Beaumont, Port Arthur, Corpus Christi, Galveston, Orange, Victoria, Baytown, Eagle Pass, Laredo, Brownsville, Port Isabel, Hidalgo, and Presidio, Tex., to points in Texas and Louisiana; and (2) *iron or steel articles* weighing 2,000 pounds or more each, requiring the use of special equipment: *sheets, beams, plates, and coils*, from Houston, Beaumont, Port Arthur, Corpus Christi, Galveston, Orange, Victoria, Baytown, Eagle Pass, Laredo, Brownsville, Port Isabel, Hidalgo, and Presidio, Tex., to points in Texas. NOTE: The purpose of this republication is to show that the commodities in (2) above will move to points in Texas, which was inadvertently omitted from the previous publication.

HEARING: March 11, 1968, at the Texas State Hotel, 720 Fannin Street, Houston, Tex., before Examiner Jerry F. Laughlin.

No. MC 109637 (Sub-No. 336), filed January 30, 1968. Applicant: SOUTHERN TANK LINES INC., Post Office Box 1047, 4107 Bells Lane, Louisville, Ky. 40201. Applicant's representatives: Harris G. Andrews (same address as applicant), and Frank B. Hand, Jr., 716 Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Carbon black*, in bulk, in tank or hopper-type vehicles, from points in Pleasant County, W. Va., and Belpre, Ohio, to points in Indiana, Kentucky, Maryland, Massachusetts, Michigan, New York, Ohio, Pennsylvania, and Virginia. NOTE: Applicant states at the present time, it holds no authority to which the authority sought might be tacked. However, applicant much prefers to avoid the encumbrance of a no-tacking provision, if that is possible.

HEARING: March 4, 1968, before Examiner James A. McKiel, at the offices of the Interstate Commerce Commission, Washington, D.C.

No. MC 8958 (Sub-No. 21) (Republication), filed July 19, 1967, published FEDERAL REGISTER issue of August 3, 1967, and republished this issue. Applicant: THE YOUNGSTOWN CARTAGE CO., a corporation, 825 West Federal Street, Youngstown, Ohio 44501. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. By application filed July 19, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of general commodities, (except those of unusual value, dangerous explosives, household goods, and commodities in bulk), between Chicago, Ill., and points in Illinois within 25 miles of Chicago, and those in Lake County, Ind., on and north of U.S. Highway 30 on the one hand, and, on the other, the plantsite of Ford Motor Co., Van Dyke and 18 Mile Road, Sterling Township (Macomb County), Mich. A corrected order of the Commission, Operating Rights Board dated December 27, 1967, and served February 6, 1968, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes of *general commodities* (except those of unusual value, classes A and B explosives, household goods, and commodities in bulk), between Chicago, Ill., points in Cook, Du Page, Lake, and Will Counties, Ill., and those in Lake County, Ind., on and north of U.S. Highway 30, on the one hand, and, on the other, the plantsite of Ford Motor Co., Van Dyke and 18 Mile Road, Sterling Township (Macomb County), Mich.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 93003 (Sub-No. 51) (Republication), filed September 2, 1966, published FEDERAL REGISTER issue of September 29, 1966, and republished this issue. Applicant: CARROLL TRUCKING COMPANY, a corporation, 4901 U.S. Route 60 East, Huntington, W. Va. 25703. By application filed September 2, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of iron and

steel, iron and steel articles (except those commodities which because of their size or weight require the use of special equipment and those commodities which are building materials), from Huntington, W. Va., to points in Michigan. Applicant further indicated that it intended to tack the authority sought with that presently held. A report of the Commission, Review Board Number 1, decided January 26, 1968, and served February 1, 1968, finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *iron and steel articles*, except those which because of size or weight require the use of special equipment, from Huntington, W. Va., to points in Michigan north of Michigan Highway 21, subject to the restriction that the authority herein granted shall not be tacked or combined with any authority presently held by applicant for the purpose of performing a through service; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 121507 (Sub-No. 1) (Republication), filed April 13, 1966, published FEDERAL REGISTER issue of May 5, 1966, and republished this issue. Applicant: PERISHABLE DELIVERIES, INC., 901 South Eutaw Street, Baltimore, Md. 21230. Applicant's representative: Charles E. Creager, Post Office Box 81, Winchester, Va. 22601. In the above-entitled proceeding, the joint board by report and order served November 24, 1966 recommended the granting to applicant a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce as a common carrier by motor vehicle over irregular routes, of commodities requiring controlled temperature and/or refrigeration except in bulk, in tank vehicles; (1) between Baltimore, Md., and the District of Columbia line, over U.S. Highway 1; (2) between Baltimore, Md., and Camp Springs, Md.: From Baltimore, over U.S. Highway 1 to Waterloo, Md., thence over Maryland Highway 175 to junction Maryland Highway 3 and U.S. Highway 301, thence over Maryland Highway 3 and U.S. Highway 301 to Upper Marlboro, Md., thence over Maryland Highway 4 to Meadows, Md., thence over Maryland

Highway 337 to Camp Springs; (3) between Baltimore, Md., and Buena Vista, Md.: From Baltimore over U.S. Highway 1 to junction Maryland Highway 430, thence over Maryland Highway 430 to Buena Vista; (4) between Baltimore, Md., and Glenn Dale, Md.: From Baltimore, over U.S. Highway 1 to junction Maryland Highway 193, thence over Maryland Highway 193 to Glenn Dale.

(5) Between Baltimore, Md., and Collington, Md.: From Baltimore, over U.S. Highway 1 to junction U.S. Highway 50, thence over U.S. Highway 50 to Collington; (6) between Baltimore, Md., and Seat Pleasant, Md.: From Baltimore, over U.S. Highway 1 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Maryland Highway 202, thence over Maryland Highway 202 to junction Maryland Highway 704, thence over Maryland Highway 704 to Seat Pleasant; (7) between Baltimore, Md., and the District of Columbia line: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to the District of Columbia line; (8) between Baltimore, Md., and Rockville, Md.: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 108 to Olney, Md., thence over Maryland Highway 97 to Norbeck, Md., thence over Maryland Highway 28 to Rockville; (9) between Baltimore, Md., and Wheaton, Md.: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 108 to Olney, Md., thence over Maryland Highway 97 to Norbeck, Md., thence over Maryland Highway 28 to Rockville, Md., thence over Maryland Highway 586 to Wheaton; (10) between Baltimore, Md., and Wheaton, Md.: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 108 to Olney, Md., thence over Maryland Highway 97 to Wheaton; (11) between Baltimore, Md., and Sykesville, Md.: From Baltimore, over U.S. Highway 40 to junction Maryland Highway 32, thence over Maryland Highway 32 to Sykesville.

(12) Between Baltimore, Md., and Oxon Hill, Md.: From Baltimore, over Maryland Highway 3 to Dorrs Corners, thence over U.S. Highway 301 to Upper Marlboro, Md., thence over Maryland Highway 4 to junction Maryland Highway 210, thence over Maryland Highway 210 to Oxon Hill; (13) between Baltimore, Md., and Randallstown, Md., over Maryland Highway 26; (14) between Baltimore, Md., and the Pennsylvania State line, over U.S. Highway 140; (15) between Baltimore, Md., and Fort Richie, Md.: From Baltimore, over U.S. Highway 140 to junction Maryland Highway 97, thence over Maryland Highway 97 to Emmitsburg, Md., thence over U.S. Highway 15 to junction Maryland Highway 81, thence over Maryland Highway 81 to Fort Richie; (16) between Baltimore,

Md., and Cockeysville, Md., over Maryland Highway 45; (17) between Baltimore, Md., and Cowentown, Md., over Maryland Highway 148; (18) between Baltimore, Md., and the Pennsylvania State line, over U.S. Highway 1; (19) between Baltimore, Md., and Aberdeen, Md.: From Baltimore, over U.S. Highway 1 to junction Maryland 24, thence over Maryland Highway 24 to Belair, Md., thence over Maryland Highway 22 to Aberdeen; (20) between Baltimore, Md., and Whiteford, Md.: From Baltimore, over U.S. Highway 1 to Darlington, Md., thence return over U.S. Highway 1 to junction Maryland Highway 440, thence over Maryland Highway 440 to junction Maryland Highway 136, thence over Maryland Highway 136 to Whiteford; (21) between Baltimore, Md., and Stepney, Md., over Maryland Highway 7; (22) between Baltimore, Md., and the Maryland-Delaware State line, over U.S. Highway 40; (23) between Baltimore, Md., and Edgewood Arsenal, Md.: From Baltimore, over U.S. Highway 40 to junction Maryland Highway 24, thence over Maryland Highway 24 to Edgewood Arsenal.

(24) Between Baltimore, Md., and Aberdeen Proving Grounds, Md.: From Baltimore, over U.S. Highway 40 to Aberdeen, Md., thence return over U.S. Highway 40 to junction Maryland Highway 715, thence over Maryland Highway 715 to Aberdeen Proving Grounds; (25) between Baltimore, Md., and Rising Sun, Md.: From Baltimore, over U.S. Highway 40 to Perryville, Md., thence over U.S. Highway 222 to Port Deposit, Md., thence over Maryland Highway 276 to junction Maryland Highway 273, thence over Maryland Highway 273 to Rising Sun; (26) between Baltimore, Md., and Rising Sun, Md.: From Baltimore, over U.S. Highway 40 to Perryville, Md., thence over U.S. Highway 222 to junction Maryland Highway 269, thence over Maryland Highway 269 to junction Maryland Highway 276, thence over Maryland Highway 276 to junction Maryland Highway 273, thence over Maryland Highway 273 to Rising Sun; (27) between Baltimore, Md., and Sparrows Point, Md., over Maryland Highway 151; (28) between Baltimore, Md., and Chase, Md.: From Baltimore, over Maryland Highway 151 to junction Maryland Highway 150, thence over Maryland Highway 150 to Chase; (29) between Baltimore, Md., and Eastport, Md.: From Baltimore, over Maryland Highway 2 to Annapolis, Md., thence over Maryland Highway 181 to Eastport; (30) between Baltimore, Md., and Indian Head, Md.: From Baltimore, over U.S. Highway 301 (Maryland Highway 3) to La Plata, Md., thence return over U.S. Highway 301 to junction Maryland Highway 225, thence over Maryland Highway 225 to junction Maryland Highway 210, thence over Maryland Highway 210 to Indian Head; and

(31) Between Baltimore, Md., and Lexington Park, Md.: From Baltimore, over Maryland Highway 3 to Dorrs Corners, Md., thence over Maryland Highway 178 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Maryland Highway 2, thence over

Maryland Highway 2 to Prince Frederick, Md., thence over Maryland Highway 231 to Hughesville, Md., thence over Maryland Highways 5 and 235 to Lexington Park. Also authority to serve all intermediate points on the above-described routes. A decision and order of the Commission, Review Board Number 3 dated January 22, 1968, and served January 31, 1968, as modified, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle over regular routes of *meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C, of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration, restricted against the transportation of commodities, in bulk, in tank vehicles, (1) between Baltimore, Md., and the Maryland-District of Columbia line, over U.S. Highway 1; (2) between Baltimore, and Camp Springs, Md., from Baltimore over U.S. Highway 1 to Waterloo, Md., thence over Maryland Highway 175 to junction Maryland Highway 3, thence over Maryland Highway 3 to junction U.S. Highway 301, thence over U.S. Highway 301 to Upper Marlboro, Md., thence over Maryland Highway 4 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Maryland Highway 337 (also known as Allentown Road), thence over Maryland Highway 337 to Camp Springs.

(3) Between Baltimore and Glenn Dale, Md., from Baltimore over U.S. Highway 1 to junction Maryland Highway 193, thence over Maryland Highway 193 to Glenn Dale; (4) between Baltimore and Collington, Md., from Baltimore over U.S. Highway 1 to junction Alternate U.S. Highway 1, thence over Alternate U.S. Highway 1 to junction Maryland Highway 450, thence over Maryland Highway 450 to Collington; (5) between Baltimore and Seat Pleasant, Md., from Baltimore over U.S. Highway 1 to junction Alternate U.S. Highway 1, thence over Alternate U.S. Highway 1 to junction Maryland Highway 202, thence over Maryland Highway 202 to junction Maryland Highway 704, thence over Maryland Highway 704 to Seat Pleasant; (6) between Baltimore and the Maryland-District of Columbia line from Baltimore over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to the Maryland-District of Columbia line; (7) between Baltimore and Wheaton, Md., from Baltimore over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 108 to Olney, Md., thence over Maryland Highway 97 to Norbeck, Md., thence over Maryland Highway 28 to Rockville, Md., thence over Maryland Highway 586 to Wheaton; (8) between Baltimore and Wheaton, Md., from Baltimore over U.S. Highway 40 to junction

U.S. Highway 29, thence over U.S. Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 97 to Wheaton; (9) between Baltimore and Sykesville, Md., from Baltimore over U.S. Highway 40 to junction Maryland Highway 32, thence over Maryland Highway 32 to Sykesville.

(10) Between Baltimore and Oxon Hill, Md., from Baltimore over Maryland Highway 3 to junction U.S. Highway 301, thence over U.S. Highway 301 to Upper Marlboro, Md., thence over Maryland Highway 4 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Maryland Highway 414 (also known as St. Barnabas Road), thence over Maryland Highway 414 to junction Oxon Hill Road, thence over Oxon Hill Road to Oxon Hill; (11) between Baltimore and Randallstown, Md., over Maryland Highway 26; (12) between Baltimore, Md., and the Maryland-Pennsylvania State line, over U.S. Highway 140; (13) between Baltimore and Fort Ritchie, Md., from Baltimore over U.S. Highway 140 to junction Maryland Highway 97, thence over Maryland Highway 97 to Emmitsburg, Md., thence over U.S. Highway 15 to junction Maryland Highway 81, thence over Maryland Highway 81 to Fort Ritchie; (14) between Baltimore and Cockeysville, Md., over Maryland Highway 45; (15) between Baltimore and Cowenton, Md., over Maryland Highway 148; (16) between Baltimore, Md., and the Maryland-Pennsylvania State line, over U.S. Highway 1; (17) between Baltimore and Aberdeen, Md., from Baltimore over U.S. Highway 1 to junction Maryland Highway 24, thence over Maryland Highway 24 to Belair, Md., thence over Maryland Highway 22 to Aberdeen; (18) between Baltimore and Whiteford, Md., from Baltimore over U.S. Highway 1 to junction Maryland Highway 136, thence over Maryland Highway 136 to Whiteford, serving Darlington, Md., as an off-route point; (19) between Baltimore and Stepney, Md., over Maryland Highway 7; (20) between Baltimore, Md., and the Maryland-Delaware State line, over U.S. Highway 40.

(21) Between Baltimore and Edgewood Arsenal, Md., from Baltimore over U.S. Highway 40 to junction Maryland Highway 24, thence over Maryland Highway 24 to Edgewood Arsenal; (22) between Baltimore and Aberdeen Proving Grounds, Md., from Baltimore over U.S. Highway 40 to junction Maryland Highway 715, thence over Maryland Highway 715 to Aberdeen Proving Grounds; (23) between Baltimore, and Rising Sun, Md., from Baltimore over U.S. Highway 40 to junction U.S. Highway 222, thence over U.S. Highway 222 to junction Maryland Highway 276 (also from junction U.S. Highway 40 and U.S. Highway 222 over U.S. Highway 222 to junction Maryland Highway 269, thence over Maryland Highway 269 to junction Maryland Highway 276), thence over Maryland Highway 276 to junction Maryland Highway 273, thence over Maryland Highway 273 to Rising Sun; (24) between Baltimore and Eastport, Md., from Baltimore over Maryland Highway 2 to Annapolis, Md.,

thence over Maryland Highway 181 to Eastport; (25) between Baltimore and Sparrows Point, Md., over Maryland Highway 151; (26) between Baltimore and Chase, Md., from Baltimore over Maryland Highway 151 to junction Maryland Highway 150, thence over Maryland Highway 150 to Chase; (27) between Baltimore and Indian Head, Md., from Baltimore over Maryland Highway 3 to junction U.S. Highway 301, thence over U.S. Highway 301 to junction Maryland Highway 225, thence over Maryland Highway 225 to junction Maryland Highway 210, thence over Maryland Highway 210 to Indian Head, serving La Plata, Md., as an off-route point; and

(28) Between Baltimore, and Lexington Park, Md., from Baltimore and Maryland Highway 3 to Dorrs Corner, Md., thence over Maryland Highway 178 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Maryland Highway 2, thence over Maryland Highway 2 to Prince Frederick, Md., thence over Maryland Highway 231 to Hughesville, Md., thence over Maryland Highway 5 to junction Maryland Highway 235, thence over Maryland Highway 235 to Lexington Park, and return over the above-described routes, serving all intermediate points in (1) through (28) above; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 126283 (Sub-No. 2) (Republication), filed August 11, 1967, published FEDERAL REGISTER issue of August 31, 1967, and republished this issue. Applicant: BERGEN-PASSAIC AIR EXPRESS, INC., 124 East Columbia Avenue, Palisades Park, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. By application filed August 11, 1967, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of commodities, except commodities in bulk, warehoused by and shipped from the facilities of Minnesota Mining & Manufacturing Co. located at Ridgefield, N.J., substantially as indicated below. An order of the Commission, Operating Rights Board dated January 19, 1968 and served February 2, 1968, as amended, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor

vehicle, over irregular routes, of *general commodities* (except commodities in bulk), from the facilities of Minnesota Mining & Manufacturing Co. located at Ridgefield, N.J., to points in Rockland and Westchester Counties, N.Y., and points in Connecticut, under a continuing contract with Minnesota Mining & Manufacturing Co., of Ridgefield, N.J., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that an appropriate permit should be issued; subject to the condition that it shall be limited in point of time to a period expiring 5 years from the effective date thereof. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication during which period any proper party in interest may file an appropriate petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITION

No. MC 123408 Subs 3, 7, 10, 11, 12, 16, and 17. (Notice of filing of petition requesting amendment of permit to add contracting shipper), filed January 23, 1968. Petitioner: FOOD HAULERS, INC., Elizabeth, N.J. Petitioner's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Petitioner holds permit in No. MC 123408 Sub 3 authorizing the transportation by motor vehicle, over irregular routes, of: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, between Elizabeth, N.J., on the one hand, and, on the other, points in Hartford County, Conn., and Ulster, Dutchess, and Orange Counties, N.Y., under continuing contract, or contracts, with Wakefern Food Corp., Elizabeth, N.J. In Sub No. 7, it is authorized to transport the same commodities, between Elizabeth, N.J., on the one hand, and, on the other, points in New Castle County, Del., points in Nassau, Putnam, Rockland, Suffolk, Sullivan, and Westchester Counties, N.Y., and points in Berks, Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, and Philadelphia Counties, Pa., under a continuing contract, or contracts, with Wakefern Food Corp. of Elizabeth, N.J. In Sub 10, it is authorized to transport the same commodities, between New York, N.Y., New Haven, Conn., and points in Hartford County, Conn., New Castle County, Del., Nassau, Putnam, Rockland, Suffolk, Sullivan, Westchester, Orange, Dutchess, and Ulster Counties, N.Y., Berks, Bucks, Chester, Delaware, Lehigh, Montgomery,

Northampton, and Philadelphia Counties, Pa., and points in New Jersey (except Elizabeth, N.J.).

Between New York, N.Y., New Haven, Conn., and points in Hartford County, Conn., New Castle County, Del., Nassau, Putnam, Rockland, Suffolk, Sullivan, and Westchester Counties, N.Y., Berks, Bucks, Chester, Delaware, Lehigh, Montgomery, and Philadelphia Counties, Pa., and points in New Jersey (except Elizabeth, N.J.). Between Elizabeth, N.J., on the one hand, and, on the other, New Haven, Conn., and points in Bronx, Kings, Queens, New York, and Richmond Counties, N.Y., and points in New Jersey (except Elizabeth, N.J.), under a continuing contract or contracts, with Wakefern Food Corp., Elizabeth, N.J. In Sub 11, it is authorized to transport such merchandise as is dealt in by wholesale, retail, and chain grocery or food business houses, except commodities, in bulk, in tank or hopper vehicles, and in connection therewith, equipment, materials, and supplies used in the conduct of such businesses, between Elizabeth, N.J., on the one hand, and, on the other, points in Lackawanna, Luzerne, and Dauphin Counties, Pa., points in Columbia County, N.J., and points in Middlesex, Fairfield, Litchfield, and New Haven Counties, Conn., except New Haven, Conn., under a continuing contract, or contracts, with Wakefern Food Corp. of Elizabeth, N.J. In Sub 12, it is authorized to transport such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such businesses (except those commodities which require special equipment and commodities in bulk other than petroleum products in bulk), between Elizabeth, N.J., on the one hand, and, on the other, points in Maryland, and New London, Windham, and Tolland Counties, Conn., Kent and Sussex Counties, Del., and Hampden County, Mass., under continuing contract, or contracts, with Wakefern Food Corp., of Elizabeth, N.J.

In Sub 16, it is authorized to transport the same commodities between Elizabeth, N.J., on the one hand, and, on the other, points in Lebanon, Lancaster, York, Schuylkill, Carbon, Monroe, Pike, Wayne, Susquehanna, and Wyoming Counties, Pa., and Massachusetts, Rhode Island, New York, Virginia, and the District of Columbia, under continuing contract, or contracts, with Wakefern Food Corp., Elizabeth, N.J. In Sub 17 it is authorized to transport the same commodities, between points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey (except Elizabeth), New York, Rhode Island, Virginia, and the District of Columbia, and points in Berks, Carbon, Chester, Dauphin, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Pike, Schuylkill, Susquehanna, Wayne, Wyoming, and York Counties, Pa., subject to certain restrictions, and between points in Hampden County, Mass., and Rhode Island, under continuing contract, or contracts with Wakefern Food Corp., of Elizabeth, N.J. By the instant petition, petitioner

requests the permits be amended, consistent with section 209(b), by the change in the restriction contained in said permits, to read as follows: "Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts with Wakefern Food Corp. of Elizabeth, N.J., and Lever Brothers Co., New York, N.Y." any interested person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH IS TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 730 (Sub-No. 293), filed January 26, 1968. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: W. S. Pilling (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those which require armored vehicles or armed guards, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) between San Francisco, and Los Angeles, Calif., (1) (a) from San Francisco over U.S. Highway 50 to Junction California Highway 120, thence over California Highway 120 to Manteca, Calif., thence over California Highway 99 to Los Angeles; also from San Francisco over U.S. Highway 50 to junction California Highway 33 near Tracy, Calif., thence over California Highway 33 to Maricopa, Calif., thence over California Highway 166 (formerly a portion of California Highway 33) to junction California Highway 99 to Mettler Station (near Wheeler Ridge), Calif., thence over California Highway 99 to Los Angeles.

(b) From San Francisco over Highway 101 to Los Angeles, (also) from San Francisco over U.S. Highway 50 to junction California Highway 17, thence over California Highway 17 to San Jose, Calif., thence over U.S. Highway 101 to Los Angeles; (also) from San Jose over U.S. Highway 101 to Gilroy, Calif., thence over California Highway 152 to junction California Highway 99 at Califa, Calif., thence over California Highway 99 to Los Angeles, (also) from Gilroy over California Highway 152 to junction California Highway 33, thence over California Highway 33 to Maricopa, Calif., thence over California Highway 166 (formerly a portion of California Highway 33) to junction California Highway 99 thence over California Highway 99 to Los Angeles, and return over the same route, with service authorized at points in the San Francisco territory as described in part II hereto, at points in the Los Angeles basin territory as described in part III hereto, and at points on and within 25 miles of the following highways as intermediate and off-route points: (c) Be-

tween Hayward and Tracy, Calif., over U.S. Highway 50, (d) between San Fernando and the southerly boundary of Merced County, Calif., over California Highway 99, (e) between Mettler Station and Dos Palos, Calif., over California Highway 166 (formerly a portion of California Highway 33) and California Highway 33, and (f) California Highway 152 between Califa (junction California Highway 99) and Red Top (junction California Highway 59), with service authorized at points in Contra Costa, Merced, Monterey, Sacramento, San Joaquin, and Stanislaus Counties, Calif., as off-route points in connection with carrier's regular-route operations.

Restriction: The above-described authority to be restricted against local service between points in the San Francisco territory and against local service between points in the Los Angeles basin territory; (2) San Francisco territory includes all the city of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County boundary line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway 101 to its intersection with Southern Pacific Co. right of way at Arastradero Road; southeasterly along the Southern Pacific Co. right of way to Pollard Road, including industries served by the Southern Pacific Co. spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to West Parr Avenue; easterly along West Parr Avenue to Capri Drive; southerly along Capri Drive to East Parr Avenue; easterly along East Parr Avenue to the Southern Pacific Co. right of way; southerly along the Southern Pacific Co. right of way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillside Avenue; easterly along Hillside Avenue to U.S. Highway 101; northwesterly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along

the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the city of Richmond; southwesterly along the highway extending from the city of Richmond to Point Richmond; northerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning; and

(3) Los Angeles basin territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway No. 118, approximately 2 miles west of Chatsworth; easterly along State Highway No. 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the city of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U.S. Highway No. 99; northwesterly along U.S. Highway No. 99 to the corporate boundary of the city of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwesterly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U.S. Highway No. 60; southwesterly along U.S. Highways Nos. 60 and 395 to the county road approximately 1 mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the city of San Jacinto; easterly, southerly and westerly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the city of Hemet, southerly, westerly and northerly along said corporate boundary to the right of way of the Atchison, Topeka & Santa Fe Railway Co.; southwesterly along said right of way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated community of Winchester to Benton Road, westerly along Benton Road to the county road

intersecting U.S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said county road to U.S. Highway No. 395; southeasterly along U.S. Highway No. 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning.

NOTE: The instant application is a matter directly related to MC-F-10031, published in FEDERAL REGISTER issue of February 7, 1968. Applicant seeks to convert the certificate of registration held by Siefert Truck Service, Inc., under MC 121322 (Sub-No. 1) into a certificate of public convenience and necessity. Applicant has also filed a BMC-44 application simultaneously herewith. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Oakland, Calif.

No. MC 70451 (Sub-No. 251), filed November 20, 1967. Applicant: WATSON-WILSON TRANSPORTATION SYSTEM, INC., 92d Street at State Line Road, Kansas City, Mo. 64114. Applicant's representative: Kenneth E. Midgley, 1500 Commerce Trust Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, (1) between points in the terminal area of San Francisco, Calif., points in San Mateo County, Calif., on or east of California Highway 5, points in Santa Clara County, Calif., and points in the terminal areas of Richmond, Berkeley, Oakland, and Hayward, Calif., on the one hand, and, on the other, points in Sacramento, Yolo, San Joaquin, Solano, and Contra Costa Counties, Calif., points in Napa County, Calif., on or south of California Highway 128, and points in Alameda County, Calif., on or east of California Highway 17, and (2) between points in Los Angeles and Orange Counties, Calif., points in San Bernardino County, Calif., south of Los Angeles and San Bernardino National Forests, and points in Riverside County, Calif., on or west of California Highway 79, on the one hand, and, on the other, points in Sacramento County, Calif., points in Yolo County, Calif., east of California Highway 113, and points within 20 miles of that portion of U.S. Highway 99 between San Fernando and Sacramento, Calif. NOTE: Applicant indicates tacking possibilities. Common control may be involved. This application is directly related to MC-F 9950, published FEDERAL REGISTER issue of November 29, 1967. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Washington, D.C., or San Francisco, Calif.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections

5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-10020 (Correction) (BEANEY TRANSPORT, LTD.—Merger—CHARLES H. BEANEY), published in the January 31, 1968, issue of the FEDERAL REGISTER, on page 2410. This correction to show BEANEY TRANSPORT LIMITED, seeks to purchase the operating rights and property of CHARLES H. BEANEY, doing business as BEANEY TRANSPORT, in lieu of merger.

No. MC-F-10039. Authority sought for purchase by LOVELACE TRUCK SERVICE, INC., 425 North Second Street, Terre Haute, Ind. 47808, of the operating rights and property of AMERICAN TRANSPORTATION, INC., 980 East Starr Avenue, Columbus, Ohio 43201, and for acquisition by M. F. NIEMEYER, Rural Route 3, West Terre Haute, Ind., of control of such rights and property through the purchase. Applicants' attorney: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Columbus, Ohio, and Indianapolis, Ind., serving all intermediate points and the off-route points within 5 miles of the corporate limits of Indianapolis and Richmond, Ind., and Columbus, Ohio. Vendee is authorized to operate as a *common carrier* in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Wisconsin, Ohio, Minnesota, and Missouri. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-1832; Filed, Feb. 13, 1968;
8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

FEBRUARY 9, 1968.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by special rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed

to or filed with the Interstate Commerce Commission.

State Docket No. C-3742, Case No. 10, filed November 28, 1967. Applicant: Earl C. Smith, Inc., Post Office Box 349, Port Huron, Mich. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, "beginning at the junction of I-94 and Belleville Road, thence north on Belleville Road to junction with Tyler Road, thence west on Tyler Road to junction with Beck Road, thence north on Beck Road to junction with M-17, thence west on M-17 to junction with U.S. 12, thence southwesterly on U.S. 12 to junction with I-94, and thence east on I-94 to place of beginning at junction with Belleville Road," serving the area generally referred to as Willow Run, Mich., as an off-route point in connection with otherwise authorized service. Both interstate and intrastate authority is sought.

HEARING: Tuesday, March 5, 1968, at Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich., at 9:30 a.m. Request for procedural information, including the time for filing protests, concerning this application, should be addressed to Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich. 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. 9176-CCT, filed January 31, 1968. Applicant: FRO-SUN FOOD TRANSPORTATION, INC., 6835 Northwest 37th Avenue, Miami, Fla. Applicant's representative: John P. Bond, 39 East Sixth Street, Hialeah, Fla. 33010. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *commodities requiring refrigeration* to, from and between all points in places in Dade, Broward, and Palm Beach Counties, Fla. Both intrastate and interstate authority sought.

HEARING: Not yet assigned for hearing. Request for procedural information, including the time for filing protests concerning this application should be addressed to the Florida Public Service Commission, Tallahassee, Fla. 32304, and should not be directed to the Interstate Commerce Commission.

State Docket No. M-11470, Supplement No. 1, filed December 21, 1967. Applicant: DONALD E. MILLER AND NORMA H. MILLER, doing business as MILLER TRANSFER, Box 217, Ceresco, Nebr. Applicant's representative: Con M. Keating and James McArthur, 303 Lincoln Building, Lincoln, Nebr. 68501. Applicants seek to convert their irregular routes to regular route. The certificate in M-11470 authorizes: *Commodities generally*, excepting those requiring special equipment. Irregular routes from points within a 15-mile radius of Ceresco, Nebr., to and from Omaha, Nebr., and occasionally to and from various points within a 275-mile radius of Ceresco, Nebr., all shipments to originate or terminate within

the 15-mile radius of Ceresco. Irregular routes from points within 10-mile radius of Swedeburg, to and from Omaha and occasionally to and from a 50-mile radius of Swedeburg, Nebr. The proposed conversion is as follows: Between Lincoln and Omaha via U.S. No. 77 to Wahoo; thence via Nebraska No. 92 to Omaha, with service to all intermediate points and off-route points of Cedar Bluffs, Colon, Davey, Ithaca. Alternate Route 1 via Nebraska No. 79 to junction with U.S. No. 30A; thence via U.S. No. 30A to Wahoo; thence via Nebraska No. 92 to Omaha with service to all intermediate points. Alternate Route 2 via U.S. No. 77 to junction with Nebraska No. 63; thence via Nebraska No. 63 to Ithaca; thence via county road to Mead; thence via Nebraska No. 92 to Omaha with service to all intermediate points. Tacking of this authority to existing authority No. M-11470 limited to service within 15-mile radius of Ceresco. Both intrastate and interstate authority sought.

HEARING: Not yet assigned for hearing. Request for procedural information, including the time for filing protests concerning this application should be addressed to the Nebraska State Railway Commission, 134 South 12th Street, Lincoln, Nebr. 68508, and should not be directed to the Interstate Commerce Commission.

State Docket No. 16021, filed January 30, 1968. Applicant: HILLER TRUCK LINES, INC., Post Office Box 1012, Jasper, Ala. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* between Birmingham, Cullman, and Decatur, Ala., via U.S. Highway 31 and/or Interstate Highway 65 for operating convenience only and serving no points except those presently authorized to be served. Both intrastate and interstate authority sought.

HEARING: Contact Alabama commission for this information. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala. 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R.—Doc. 68-1833; Filed, Feb. 13, 1968;
8:49 a.m.]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

[Notice 545]

FEBRUARY 9, 1968.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340), published in the FEDERAL REG-

ISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2392 (Sub-No. 65 TA), filed February 5, 1968. Applicant: WHEELER TRANSPORT SERVICE, INC., 7722 F Street, Post Office Box 14248, West Omaha Station, Omaha, Nebr. 68114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solution*, in bulk, in tank vehicles, from Lincoln Air Base (Air Park West) storage facilities of Terra Chemical International, Inc., Lincoln, Nebr., to points in Nebraska, Missouri, Kansas, Wyoming, Colorado, and South Dakota, for 150 days. Supporting shipper: Terra Chemicals International Inc., 507 Sixth Street, Sioux City, Iowa 51101. Send protests to: K. P. Kohrs, District Supervisor, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 4405 (Sub-No. 457 TA), filed February 5, 1968. Applicant: DEALERS TRANSIT, INC., 7701 South Lawndale Avenue, Chicago, Ill. 60652. Applicant's representative: R. O. Homberger (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tow tractors*, in truckaway service, from De Kalb, Ill., to points in the United States including Alaska, but excluding Hawaii, for 180 days. Supporting shipper: De Kalb Commercial Body Corp., De Kalb, Ill. 60115. Send protests to: Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 52579 (Sub-No. 99 TA), filed February 5, 1968. Applicant: GILBERT CARRIER CORP., 1 Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: Aaron Hoffman (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangers, and *materials and supplies*, used in the manufacture of wearing apparel, between Philadelphia, Pa., on the one hand, and Greenville and Selma, Ala., and Daytona Beach, Fla., on the other, for 150 days. Supporting shipper: The Villager, 19th and Allegheny Avenue, Philadelphia, Pa. 19132. Attention: Sam Altman, vice president.

Send protests to: Walter J. Grossmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 970 Broad Street, Room 902, Newark, N.J. 07102.

No. MC 66562 (Sub-No. 2294 TA), filed February 2, 1968. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: Robert C. Boozer, Commerce Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* moving in express service, (1) between Florence, S.C., and Petersburg, Va., serving the intermediate and/or off-route points of Latta and Dillon, S.C., Rowland, Pembroke, Lumberton, St. Pauls, Parkton, Hope Mills, Fayetteville, Dunn, Benson, Four Oaks, Selma, Kenly, Wilson, Elm City, Rocky Mount, Enfield, and Weldon, N.C., and Emporia, Va., from Florence over U.S. Highway 301 to Petersburg, and return over the same route, as an alternate route for operating convenience only; (2) between Atlanta, Ga., and Columbia, S.C., serving the intermediate and/or off-route points of Washington and Lincoln, Ga., and McCormick and Saluda, S.C., from Atlanta over U.S. Highway 278 to Union Points, Ga., thence over Georgia Highway 44 to Washington, thence over U.S. Highway 378 to Columbia, and return over the same route; from Atlanta over Interstate Highway 20 to Columbia, and return over the same route, as an alternate route for operating convenience only. Restrictions: (1) The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency; (2) shipments transported shall be limited to those moving on through bills of lading or express receipts, for 120 days. Supporting shipper: There are approximately (18) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 95540 (Sub-No. 722 TA), filed February 5, 1968. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Hoyt Starr (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery and confectionery products*, from Altoona, Bethlehem, and West Reading, Pa., to points in Florida, Georgia, South Carolina, North Carolina, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, Illinois, Iowa, Nebraska, Missouri, Kansas, and Colorado, for 180 days. Supporting shippers: Boyer Bros., Inc., 821 17th Street, Altoona, Pa.; Just Born, Inc., 1300 Stefkow Boulevard, Bethlehem, Pa.; and R. M. Palmer Co., Second and Franklin Streets, West Reading, Pa. Send protests to: District Su-

pervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 107010 (Sub-No. 34 TA), filed February 5, 1968. Applicant: D & R BULK CARRIERS, INC., Box 106, Auburn, Nebr. 68305. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, and in bags, from that area of Nebraska bounded by U.S. Highway 6 on the north, Nebraska Highway 14 on the east, Nebraska Highway 74 on the south, and U.S. Highway 281 on the west, to points in Colorado, Wyoming, South Dakota, North Dakota, Minnesota, Iowa, Missouri, and Kansas, for 180 days. Supporting shipper: Cominco American, Inc., Box 186, Beatrice, Nebr. 68310. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln Nebr. 68508.

No. MC 109294 (Sub-No. 9 TA), filed February 5, 1968. Applicant: COMMERCIAL TRUCK CO., LTD., 230 Brunette Street, New Westminster, British Columbia, Canada. Applicant's representative: Jos. O. Earp, 411 Lyon Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Okanogan County, Wash., on the one hand, and, on the other, the international boundary between the United States and Canada, at or near Oroville, Wash. (restricted to traffic originating or terminating in British Columbia), for 180 days. Supporting shippers: (1) Ralph S. Plant, Ltd., 837 West Hastings Street, Vancouver 1, British Columbia; (2) M. D. Tuck Lumber Co., Ltd., 355 Mulgrave Place, West Vancouver, British Columbia; (3) Capilano Lumber Sales, Lumber Sales, Ltd., 230 Brunette Street, New Westminster, British Columbia. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 110420 (Sub-No. 561 TA), filed February 5, 1968. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis. 53105. Applicant's representative: Fred Flgge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diammonium phosphate*, in bulk, in tank vehicles, (1) from Depue, Ill., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin; (2) from Riverdale and Colfax, Ill., to points in Indiana, Michigan, Missouri, Ohio, and Wisconsin; (3) from Des Moines, Iowa, to points in Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shippers: The New Jersey Zinc Co., 160 Front Street, New York, N.Y. 10038, M. K. Scheuing, supervisor, motor carrier transportation. Send protests to: Lyle D. Helfer, Dis-

trict Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 114533 (Sub-No. 156 TA), filed February 5, 1968. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, Ill. 60632. Applicant's representative: Stanley Komosa (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Small parts, electronic components and supplies* limited to 75 pounds per shipment, between Chicago, Ill., and Flint, Saginaw, Kalamazoo, Lansing, Ann Arbor, Battle Creek, Grand Rapids, Jackson, and Detroit, Mich.; Fort Wayne, Indianapolis, Lafayette, South Bend, and Terre Haute, Ind.; Madison, Green Bay, Oshkosh, Appleton, Milwaukee, and Sheboygan, Wis.; Toledo and Cleveland, Ohio, and St. Louis, Mo., for 150 days. Supporting shipper: International Business Machines Corp., 310 West Madison Street, Chicago, Ill. 60606. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 115648 (Sub-No. 13 TA), filed February 5, 1968. Applicant: LUTHER LOCK, doing business as LUTHER LOCK TRUCKING, 705 13th Street, Wheatland, Wyo. 82201. Applicant's representative: Arthur Grout, 212 Dillon Avenue, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Animal and poultry feed, and animal and poultry health aids and sanitation products*, from Denver, Colo., to points in Cascade County, Mont., for 180 days. Supporting shipper: Ralston Purina Co., 4599 York Street, Denver, Colo. 80216. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 North Center Street, Casper, Wyo. 82601.

No. MC 119657 (Sub-No. 4 TA), filed February 5, 1968. Applicant: GEORGE TRANSIT LINE, INC., 4610 Hubbell Avenue, Des Moines, Iowa 50317. Applicant's representative: Patrick W. George (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diammonium phosphate*, in bulk, from the plantsites and warehouses of the New Jersey Zinc Co., (1) from Depue, Ill., to points in Illinois, Indiana, Wisconsin, Minnesota, Iowa, Kansas, Missouri, Nebraska, and South Dakota; and (2) from Riverdale and Colfax, Ill., to points in Indiana, Missouri, and Wisconsin; and (3) from Des Moines, Iowa, to points in Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: The New Jersey Zinc Co., 160 Front Street, New York, N.Y. 10038. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 119827 (Sub-No. 5 TA), filed February 5, 1968. Applicant: APACHE MOTOR FREIGHT, INC., 6363 Middlebelt Road, Inkster, Mich. 48141. Applicant's representative: Karl L. Gotting, Union Savings & Loan Building, 117 West Allegan Street, Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, having an immediate prior or subsequent movement by air carrier, between Willow Run Airport in Wayne and Washtenaw Counties, Mich., Detroit Metropolitan Airport, located in Wayne County, Mich., and the Toledo Express Airport in Lucas County, Ohio, on the one hand, and on the other points in Lucas, Williams, Defiance, Fulton, and Henry Counties, Ohio, for 180 days. Note: Applicant intends to tack the authority here applied for to other authority held by it. Supporting shippers: Johns-Manville, Third and Perry Streets, Defiance, Ohio 43512; Powers & Sons, division of Letts Industries, Inc., 410 West Main Street, Montpelier, Ohio 43543; Challenge-Cook Bros. of Ohio, Inc., 720 East Perry Street, Bryan, Ohio; Globe Wernicke Systems Co., division of Sheller-Globe Corp., 1505 Jefferson Avenue, Toledo, Ohio 43624; Columbus Bolt & Forging Co., division of Colorado Manufacturing Corp., 291 Marconi Boulevard, Post Office Box 2139, Columbus, Ohio 43216; Higbie Manufacturing Co., Fulton Tubing Division, Lugbill Road, Archbold, Ohio 43502; All Star Products, Inc., Post Office Box 487, Defiance, Ohio 43512; the Aro Corp., 400 Enterprise Street, Bryan, Ohio 43506. Send protests to: District Supervisor Gerald J. Davis, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 124158 (Sub-No. 4 TA), filed February 5, 1968. Applicant: BORN-HOFT TRUCK SERVICE, INC., Route 2, Harrisburg, Ark. 72432. Applicant's representative: Louis Tarlowski, Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground phosphate rock*, in bags, from New Orleans, La., to Little Rock, Pangburn, Pleasant Plains, and Searcy, Ark., for 150 days. Supporting shipper: H. J. Baker & Bro., Inc., 733 Third Avenue, New York, N.Y. 10017. Send protests to: District Supervisor D. R. Partney, Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 126970 (Sub-No. 4 TA), filed February 5, 1968. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box Drawer L, Madisonville, Ky. 42431. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corn and corn products* (except liquid corn products, in bulk, in tank vehicles) from the plant and warehouse facilities of Illinois Cereal

Mills, Inc., Paris, Ill., to points in Idaho, New Mexico, Nevada, North Dakota, and Wyoming, for 180 days. Supporting shipper: Frank B. Tatara, traffic manager, Illinois Cereal Mills, Inc., Paris, Ill. 61944. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 127042 (Sub-No. 20 TA), filed February 5, 1968. Applicant: HAGEN, INC., 4120 Floyd Avenue, Sioux City, Iowa 51108. Applicant's representative: Duane W. Acklie, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses*, from the plantsite of Blue Ribbon Beef Pack, Inc., near LeMars, Iowa, to points in Illinois, Wisconsin, and Minnesota, for 180 days. Supporting shipper: Blue Ribbon Beef Packers, Inc., Robert W. Eldred, general manager, LeMars, Iowa 51031. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 128375 (Sub-No. 15 TA), filed February 5, 1968. Applicant: CRETE CARRIER CORPORATION, 15th and Main, Post Office Box 249, Crete, Nebr. 68333. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automotive parts, materials and supplies, and supplies and materials* utilized by automotive equipment manufacturers, between the plantsites and storage facilities used by Douglas & Lomason Co. at or near Columbus, Nebr., Marianna, Ark., Columbus, Tucker, Newnan, and Carrollton, Ga., Cleveland, Miss., and Detroit, Mich., on the one hand, and, on the other, points in Illinois, Indiana, Ohio, Michigan (except Detroit and Pontiac), Pennsylvania (except Pittsburgh), Newark, N.J., and its commercial zone, Fort Smith, Ark., West Helena, Ark., and Ravens Wood, Va., for 180 days. Supporting shipper: Douglas & Lomason Co., 5800 Lincoln Avenue, Detroit, Mich. Send protests to: District Supervisor Max H. Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 129690 TA, filed February 5, 1968. Applicant: DESERT OIL COMPANY, doing business as DESERT MUD TRUCKING CO., 845 Elk Street, Rock Springs, Wyo. 82901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite, barite, drilling mud compounds and completion materials, all in sacks*, from points in Big Horn, Natrona, and Crook Counties, Wyo., and Rock Springs, Wyo., to points in Moffatt County, Colo., and in Daggett, Summit, and Uintah Counties, Utah, on and north of U.S. Highway 40 and in Sweetwater and Carbon Counties, Wyo., on and south of U.S. Highway 30/Interstate Highway 80; and from sites of natural gas wells and oil wells located in Moffatt County,

Colo., and Daggett, Summit, and Uintah Counties, Utah, on and north of U.S. Highway 40 and in Sweetwater and Carbon Counties, Wyo., on and south of U.S. Highway 30/Interstate Highway 80 to Rock Springs, Wyo., for 180 days. Supporting shippers: Dresser Magcobar, Box 988, Farmington, N. Mex.; Wyo-Ben Products Co., Post Office Box 1979, Billings, Mont.; United Engineering Co., subsidiary of Wyo-Ben, Post Office Box 1979, Billings, Mont. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Bureau of Operations, D & D Building, 255 North Center Street, Casper, Wyo. 82601.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-1834; Filed, Feb. 13, 1968;
8:49 a.m.]

[Notice 88]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 9, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70141. By order of February 6, 1968, the Transfer Board approved the transfer to Engel Trucking, Inc., Greenville, Pa., of a portion of the operating rights in certificate No. MC-10613 issued March 17, 1942, to the Phil Vogelmeier Co., Newark, Ohio, authorizing the transportation of *heavy machinery*, between Newark, Ohio, on the one hand, and, on the other, points and places in that part of Indiana on and east of U.S. Highway 31. A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215, attorney for applicants.

No. MC-FC-70237. By order of February 7, 1968, the Transfer Board approved the transfer to S & W Transfer, Inc., Milwaukee, Wis., of the operating rights in permits Nos. MC-109028, MC-109028 (Sub-No. 5), and MC-109028 (Sub-No. 6) issued December 12, 1962, July 11, 1963, and November 10, 1966, respectively, to Hillside Transit Co., Inc., Milwaukee, Wis., authorizing the transportation of petroleum products, in bulk, in tank vehicles, from points in Indiana and Illinois in the Chicago, Ill., commercial zone as defined by the Commission, to points in Wisconsin on and south of a line extending along Wisconsin Highway 23 from Sheboygan to Spring Green, thence

along Wisconsin Highway 60 to the Wisconsin-Iowa State line; such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, between Duluth, Minn., and Superior, Wis., and between Duluth, Minn., and Superior, Wis., on the one hand, and, on the other, Gary, Ind., and points in Wisconsin on, east, and south of a line beginning at the east bank of the St. Croix River opposite Stillwater, Minn., thence in a northeasterly direction through Hayward, Wis., to Ash-

land, Wis.; and petroleum products and such commodities as are used or sold in operating retail gasoline service stations, except commodities in bulk, from Cicero, Ill., to points in Wisconsin. Martin Sterenbuch, 1819 H Street NW., Washington, D.C. 20006, attorney for applicants.

No. MC-FC-70240. By order of February 7, 1968, the Transfer Board approved the transfer to Harold Jeandron, doing business as Frank C. Jeandron & Sons, Jersey City, N.J., of the operating rights in certificate No. MC-93213 issued March 22, 1949, to Frank C. Jeandron, Sr.,

Frank C. Jeandron, Jr., and Harold Jeandron, a partnership, doing business as Frank C. Jeandron & Sons, Jersey City, N.J., authorizing the transportation of household goods, as defined by the Commission, between points in Hudson County, N.J., on the one hand, and, on the other, points in Nassau, Suffolk, and Westchester Counties, N.Y. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306, practitioner for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.[F.R. Doc. 68-1835; Filed, Feb. 13, 1968;
8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—FEBRUARY

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1041	2711
1057	2847

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50 CFR

33	2711, 2945
351	2777

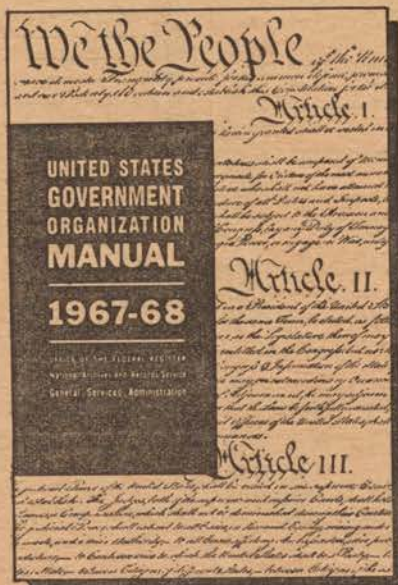
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230	2781
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